



**LIBRARY ST. MARY'S COLLEGE**

$\frac{LF}{alp.}$



# MORAL THEOLOGY OF THE CHURCH OF ROME.

No. I.

S. ALFONSO DE' LIGUORI'S THEORY OF  
TRUTHFULNESS.

AN ARTICLE REPRINTED FROM

"THE CHRISTIAN REMEMBRANCER," OF JANUARY, MDCCCLIV.

WITH A REPLY TO

"THE RAMBLER," AND THE "DUBLIN REVIEW."

LONDON:

J. AND C. MOZLEY, PATERNOSTER ROW;

EDINBURGH: R. GRANT AND SON; DUBLIN: W. CURRY AND CO.

1855.



C. M.





MORAL THEOLOGY  
OF THE CHURCH OF ROME.

241  
L 627m

No. I.

S. ALFONSO DE' LIGUORI'S THEORY OF  
TRUTHFULNESS.

LIBRARY ST. MARY'S COLLEGE

AN ARTICLE REPRINTED FROM  
"THE CHRISTIAN REMEMBRANCER," OF JANUARY, MDCCCLIV.

89329

LONDON:  
J. AND C. MOZLEY, PATERNOSTER ROW;  
EDINBURGH: R. GRANT AND SON; DUBLIN: W. CURRY AND CO.  
1855.



## S. ALFONSO DE' LIGUORI'S THEORY OF TRUTHFULNESS.<sup>1</sup>

---

No fairer exponent of Roman teaching can be had than S. Alfonso Maria de' Liguori, as the following facts will show. In 1787 he died. In 1803 the sacred Congregation of Rites decreed, 'that in all the writings of Alfonso de' Liguori, edited 'and inedited, there was not a word that could be justly found 'fault with.' Pius VII. ratified the decree, and proceeded, in less than thirty years after Liguori's death, to his beatification. Monsignor Artico, Bishop of Asti, and Prince Prelate of the Papal Household, published a letter declaring 'that the examination of Liguori's work had been conducted with particular severity, that his system of Morality had been more 'than twenty times discussed by the Sacred Congregation, and 'that all had agreed *voce concordi, unanimi consensu, unâ voce, unâ mente.*' In 1831 Cardinal de Rohan-Chabot, Archbishop of Besançon, propounded the following questions for the oracular response (*oraculum requirit*) of the Sacred Penitentiary:— '1. Whether a Professor of sacred theology may with safety 'follow and profess the opinions which the Blessed Alfonso de' 'Liguori professes in his Moral Theology? 2. Whether a Confessor should be disturbed for following all the opinions of the 'Blessed Alfonso de' Liguori in the confessional, simply on the 'grounds that the Holy Apostolic See had declared that it 'found nothing in his works worthy of censure?' The answer given to the first question was in the affirmative. Liguori's opinions might be followed and professed with safety. The answer to the second was in the negative. No such Confessor was to be disturbed in his course. This decision was formally signed and dated as issuing from the Sacred Penitentiary on the 5th of July, 1831. Immediately the Cardinal Archbishop

<sup>1</sup> 1. *Theologia Moralis S. Alphonsi de Liguori*, &c. Parisiis, 1845.

2. *Homo Apostolicus, Auctore D. Alphonso de Liguori*. Moguntiae, 1842.

3. *Compendium Theologiae Moralis S. Alphonsi de Liguori, Auctore D. Neyraguet*. Liburni, 1851.

4. *A Treatise of Equivocation*. London, 1851.

5. *Cases of Conscience*. London, 1853.

wrote to his Clergy requiring 'that the judgment of Rome 'should be fully adhered to, and that the opinions of the Blessed 'Alfonso de' Liguori should be followed and reduced to practice, all doubt whatever being thrown aside.' Pope Gregory XVI. confirmed the decree in a few weeks, and in 1839 Alfonso exchanged his title of *Blessed* for that of *Saint*. His life, full of adulation, has lately been published in England with Cardinal Wiseman's approbation; and it was but last year that his *Glories of Mary* were 'cordially recommended to the faithful' by 'Nicholas Card. Wiseman, Archbishop of Westminster. Given at Westminster on the Feast of Saint Alphonsus 'de' Liguori, 1852.'

Thus we have a Roman Bishop, who has been beatified and canonized, whose works, together with all the opinions in them, have been commended by Cardinals, approved by the Sacred Congregation, and ratified by Popes. Nor has this taken place long ago. Liguori is Rome's last saint, and his teaching is, on Rome's own showing, the latest authoritative exponent of her moral system, put into the hands of her confessors and directors with her special approbation and sanction.

No more need be said to prove that if Liguori's teaching is lax, if it falls short of a high standard, if it is subversive of the plain principles of morality, Rome's teaching is so too. Our present purpose is not to exhibit the most revolting features of his books: the laws of decency would forbid that. Abstaining from all quotations which would have to be veiled under a dead language, we shall confine ourselves almost wholly to the examination of a single question, What is Rome's theory of Truthfulness and of Lying? This lies at the very foundation of morals. Our first extract will contain her doctrine of Amphibology.

'We must distinguish between Amphibology or Equivocation, and Mental Restriction. Amphibology can be in three fashions: 1. When a word has two senses, as the word *volo* means both *to wish* and *to fly*. 2. When a sentence bears two main meanings, as, *This book is Peter's*, may mean that the book belongs to Peter, or, that Peter is the author of it. 3. When words have two senses, one more common than the other, or one literal, the other metaphorical. . . . Thus, if a man is asked about something which it is to his interest to conceal, he can answer, *No, I say*; that is, *I say the word, no*. Cardenas doubts about this, but saving his better counsel, he seems to do so without reason, for the word *I say* really has two senses; it means *to utter* [make use of a word] and *to assert*. We here employ it in the sense of *utter*.'—4. 151.

Simple examples of these three forms of equivocation would be the following:—1. 'While we were making these arrangements *the heir* was present,' meaning *the air* was present. 2. The old, 'Aio te *Æacida* Romanos vincere posse,' or, 'Mr. H. is a man about town,' meaning, that he is frequently in London. 3. 'Is the grass green?' If you reply 'It is not,' you have told

a lie ; if you answer 'No, I say,' you have used an equivocation, because you mean not to deny the fact, but to state that you are employing the word *No*.

'Well then,' continues S. Alfonso, 'it is certain, and held by all doctors alike, that for a good reason it is allowable to use equivocation in these ways which have been explained, and to confirm it with an oath. So say Lessius, Cardenas, and the Salamanca Doctors. The reason is, that thus we do not deceive our neighbour, but, on good reason, allow him to deceive himself; and again, we are not bound to speak according to the understanding of others if there is good reason; and any honest object, such as keeping our goods spiritual or temporal, is a good reason.

'But now, if you have *not* a good reason, is it a mortal sin to swear amphibologically, or with non-pure mental restriction? Viva says so, as well as Toletus, Angles, Armilla, Navarrus; so does Busembaum, together, as he declares, with Layman, Sanchez, and "the common opinion." But he has no right to claim Sanchez, and to call his own opinion the "common" one, for Sanchez follows the contrary, and so do Lugo, Cajetan, the Salamanca Doctors, Soto, Valdez, Prato, Hurtado, Candido, Leandro, and Lessius; and even Busembaum thinks it "probable." This, then, is the "more probable" opinion, and the reason of it is, that in oaths of this kind there are already present truth and justice; good judgment or discrimination is all that is wanting, and the absence of that is only venial. Nor is there anything in what Viva says, that a man swearing in this way calls on God to witness to what is false, for in fact he calls upon Him to witness what is true, *according to his own meaning*, although for good reason he allows the other to be deceived by reason of his carelessness or inadvertence. This must not, however, be done in a trial, or in contracts. It is an inference from the opinion given above, that for swearing in this way, in all cases except trials or contracts, it is not necessary to have a reason of any importance in itself, but any reasonable cause is sufficient, such as to free oneself from a man's troublesome questions which he has no right to ask. Note here, however, first, that you must have a better reason for equivocating with an oath than without it; and secondly, that in proportion as the words give the more occasion for a mistake, the better the reason must be; whence they say, that when words give scarcely any reason for a mistake, like words which are simply equivocal and bear two meanings one equally well with the other, the very lightest reason is an excuse.

'Mental Restriction is of two kinds, one purely mental, which cannot be discovered in any manner by others; the other, not purely mental, which can become known from circumstances connected with it. Purely mental restriction is never allowable, nor an oath with it, as is shown by the three propositions condemned by Innocent XI. . . . On the contrary, it is allowable to use non-pure mental restriction, even with an oath, if it can be discovered by circumstances. This is proved from John vii. 8, where Christ said, "I go not up to this feast," and yet Scripture says that He afterwards went up. He understood "I go not up *openly* (as the Disciples inquired) *but secretly*." . . . This opinion is held in common by Gonet, Layman, Paludanus, Adrian, Soto, Wigandt, Cardenas, La Croix, Holzmann, Sporer, Viva, and the Salamanca Doctors; Collet also has the same opinion, with Vanroy and Boudart, saying, that even the overstrict theologians declare that non-pure mental restrictions are not unlawful, arguing from S. Augustine, who, in his *Book against Lying*, c. 10, says, "Although every one who tells a lie may wish to conceal the truth, yet not every one who wishes to conceal what is true tells a lie." Even the extremely rigid Contensonius agrees, for in explaining the passage in John about Christ's

going up to the feast, he says that Christ used somewhat obscure words, which a man of thought might easily interpret and discover the meaning. S. Thomas favours this view by saying, "that to be silent about the truth, and to express falsehood, are different things." He says, too, "It is not lawful to tell a lie for the purpose of freeing another from any kind of danger; it is lawful, however, to hide the truth prudently under some dissimulation, as S. Augustine says in his *Book against Lying*." The reason of this opinion is, that if it were not allowable to use non-pure mental restriction, there would be no way of lawfully concealing a secret which a man could not discover without loss or inconvenience, and this would be as harmful to intercourse between man and man as lying. The condemnation passed by the pontiff on mental restriction is rightly to be understood of restriction purely and strictly taken, for that alone ought to be called true mental restriction which takes place solely in the mind, and there remains concealed, and can by no means be discovered from outward circumstances.'—4. 151, 152.

We have thus stated the principles of Amphibology or Equivocation, and of Mental Restriction, in Liguori's own words. It will be seen that there are three sorts of equivocation, all of which are allowable, even with the addition of a solemn oath. Accordingly, a man may swear that *the heir* was present, meaning that *the air* was present. He may swear that another person is *a man about town*, meaning that he frequently goes to London. To the question, Is the grass green? he may answer with an oath, '*I say, no*,' meaning, not to deny the fact, but to affirm that he was using the word *No*. Mental restriction, since the days of Innocent XI., is of two sorts, pure, and non-pure. Pure mental restriction is that which, in the nature of things (*ullo modo*) is undiscoverable; non-pure mental restriction is that which, in the nature of things, is discoverable, but which, nevertheless, the person with whom we are dealing does not discover. An example of the first would be the secret insertion of a negative into an affirmative oath, *without any external sign*: an example of the second would be the secret insertion of a negative *in a whisper not observed by the other party*. Thus, 'I swear that I will do it,' with the *mental* insertion of 'not,' meaning 'I swear that I will not do it,' would be pure mental restriction; and, as such, has been condemned by Pope Innocent, and is disallowed by Liguori. But, 'I swear that I will do it,' with the insertion of 'not' *under the cover of a cough*, or with the addition of a 'perhaps' *in an unobserved whisper*, would be non-pure mental restriction, and such an oath might, according to Rome's moral teaching, be taken by a man who had no intention of fulfilling what the other party considered that he had bound himself to perform. We will presently proceed to point out the very grave effects which, on Liguori's own showing, the admission of these and like principles have on all security and good faith in dealings between man and man; on the security of oaths, of vows, of promises, of

evidence ; on truthfulness in general. But first we must make a few remarks suggested by the passage which has been quoted.

Three technical expressions are used, the special meaning of which it may be well to recal to our readers' minds. These are 'mortal sin,' 'probable and more probable opinions,' 'common opinion.'

For an act to be sin at all, it must fulfil three conditions. It must be voluntary, it must be free, and its wickedness must be recognised. Those acts which fulfil these conditions are then arbitrarily divided, according to Roman teaching, into mortal and venial sins. For a sin to be mortal, it is required that the consent of the will should be perfect, that the recognition of the intellect should be full and deliberate, and that the *materia*, or thing about which the sin is, should be of a certain 'gravity.' A mortal sin puts a man out of the grace of God, a venial sin does not, but only diminishes the man's own fervour, and is so light a thing that it need never be confessed. What sins are mortal, and what venial, is left to the decision of the casuists. We will not here pause to point out the irreconcilable differences between doctors of greater and less rigidity on so vital a point as this. We may say, however, in passing, in order to show how totally impossible it is that the arbitrary division into mortal and venial can be really maintained, that after pages of patient calculation Liguori is reduced to the conclusion that a theft of 4s. by the same individual, and in identically the same state of mind, from a merchant of great opulence, and from a very rich nobleman, is a mortal sin in the first case, and a venial sin in the last ; that is, that the first, 'on account of its own grave importance, destroys favour and friendship with God, and deserves eternal punishment ;' that the other, 'on account of its insignificant importance does not take away favour and friendship, though it diminishes our fervour of charity, and deserves temporal punishment ;' that the one 'takes away the principle of spiritual life,' the other is not worth confessing. Again, we find that the sin committed by a nobleman's son in stealing 10l. from his father, is a venial sin, but that once to omit attending mass on Sunday is mortal.

Pascal will explain to us the doctrine of Probable Opinions in his own inimitable manner :—

"The generality of our authors," said the monk, "and, among others our four-and-twenty elders, thus explain it : 'An opinion is called probable when it is founded upon reasons of some consideration. Hence it may sometimes happen that a single very grave Doctor may render an opinion probable.' . . . Hear Sanchez, one of the most famous of our Fathers : 'You may doubt, perhaps, whether the authority of a single good and learned Doctor renders an opinion probable. I answer that it does ; and this is confirmed by Angelus, Sylvester, Navarre, Emanuel Sa, &c.' . . . You don't

understand it! No doubt Doctors are often of different sentiments, but what signifies that? Each renders his own opinion probable and safe. We all know well enough that they are far from being of the same mind; what is more, they scarcely ever agree. There are very few questions indeed in which you do not find the one saying Yes, and the other saying No. Still, in all these cases, each of the contrary opinions is probable. And hence Diana says: 'Ponce and Sanchez hold opposite views of it; but as they are both learned men, each renders his own opinion probable.'

"But father," I remarked, "a person must be sadly embarrassed in choosing between them!" "Not at all," he rejoined; "he has only to follow the opinion which suits him best." "What if the other is more probable?" "It does not signify." "And if the other is safer?" "It does not signify," repeated the monk; "this is made quite plain by Emanuel Sa of our Society, in his Aphorisms: 'A person may do what he considers allowable according to a probable opinion, though the contrary may be the safer one. The opinion of a single grave doctor is all that is requisite.'" "And if an opinion be at once the less probable and the less safe, is it allowable to follow it," I asked, "even in the way of rejecting one which we believe to be more probable and more safe?" "Once more I say, Yes," replied the monk. "Hear what Filiuccius, that great Jesuit of Rome, says: 'It is allowable to follow the less probable opinion, even though it be the less safe one. That is the common judgment of modern authors.' Is not that quite clear?"

"Well, reverend father," said I, "you have given us sinners room enough, at all events! Thanks to your probable opinions, we have liberty of conscience with a vengeance! But are your casuists allowed the same latitude in giving your responses?" "O yes," said he, "we answer just as we please; or rather, I should say, just as it may please those who ask our advice. Here are our rules." . . . "Well, seriously, father," I said, "your doctrine is an uncommonly agreeable one! Only think of being allowed to answer Yes or No, just as you please! It is impossible to prize such a privilege too highly. I see now the advantage of the conflicting opinions of your doctors. One of them is always ready to serve your purpose, and the other never gives you any annoyance. If you do not find your account on the one side, you fall back on the other, and always land in perfect safety." "That is quite true," he replied, "and accordingly, we may always say with Diana, on finding that Father Bauny was on his side, while Father Lugo was against him: *Sape premente Deo fert Deus alter opem.*" —Letter V.

In like manner Garnet, in the 'Treatise of Equivocation,' lays it down as certain 'that when both opinions are probable, 'a man may without sinne folow either, if it may be done without prejudice of our neighbour,' and 'that it is within the 'compass of probability, if it have two or three grave autours.'

A 'common opinion' is supposed to be that on which all or most doctors agree. We say *supposed*, because, except on points, where neither obtuseness nor over-subtlety of intellect could fail of coming to the right conclusion, they never do agree; nor is even a respectable majority found on one side or the other. In other words, when their agreement might be of use, it never exists; so irreconcilable are the differences between the strict and the lax schools. No one can read a dozen pages of Liguori without finding that, whatever may be said of Rome's dogmatic



precepts, his dream of anything like certainty in her moral teaching has passed away for ever. This doctor is opposed to that doctor, while the third and fourth agree with neither of them, nor with themselves, and the inquirer of the oracle finds, to his dismay, that he is left with a mass of opinions of all shades of difference, out of which he may take his choice, or his director may choose for him.

We cannot pass over the inferences drawn from the quotations made in the passage which we have extracted without some criticism. These quotations are made from our Lord's words, as related in the Gospels, from S. Augustine, and from Thomas Aquinas. From the first two an inference is drawn that non-pure mental restriction is allowable, and the third is given as favourable to the same view. Let us see if such an inference can fairly be drawn from the words.

'I go not up to this feast,' said our Lord, understanding, adds Liguori, by non-pure mental restriction, 'openly, but I do go up secretly.' An appeal to the words of Him who was and is the Truth, for the purpose of showing that He used towards His brethren a form of expression the effect of which would inevitably be to deceive them, is grating to our moral feelings. If any other hypothesis would satisfy the account in the Gospel narrative, we cannot doubt that it would be the part of reverence to accept it in place of this explanation. Not only, however, are there more natural explanations of the words, but they will not even bear this explanation. Let us turn to the original, and what do we find? Ὑμεῖς ἀνάβητε εἰς τὴν ἑορτὴν· ἐγὼ οὐπω ἀναβαίνω εἰς τὴν ἑορτὴν ταύτην ὅτι ὁ καιρὸς ὁ ἐμὸς οὐπω πεπλήρωται. 'Go ye up to the feast. I am not yet going up to this feast, because my time is not yet fully come.' Accordingly, when it was fully come, He went up, and τῆς ἑορτῆς μεσοῦσης, when the feast was about half over, began to teach. But it may be said that the reading οὐπω ἀναβαίνω is not found in all the MSS. True, in the Codex Vaticanus, the Codex Bezae, and the Codex Cyprius, the reading is οὐκ ἀναβαίνω. But the authority of these three Codices, important as the first two are, cannot be equal, or nearly equal to that of all the rest; and further, if the reading were οὐκ instead of οὐπω the sense would remain identically the same. To get any other meaning out of the words, the tense of ἀναβαίνω must be changed (for as it stands it cannot avow any intention or purpose of not going up, but merely a present act), and the second οὐπω must also be got rid of—for which there is not the shadow of an excuse in a single MS. 'My time' says our Lord (ὁ ἐμὸς is used as distinguishing it from that of His brethren who were urging Him to go and manifest Himself at once), 'is not yet fully come ;

therefore I am not yet going up [οὐπω], or, I am not at present going up [οὐκ] to this feast.' The οὐκ ἀναβαίνω of the three MSS. combined with the οὐπω πεπλήρωται, equally with the general reading οὐπω, overthrows the unworthy hypothesis that our Blessed Lord was using non-pure mental restriction.<sup>1</sup> S. Augustine, in a sermon on the passage, rejects by anticipation the Liguorian interpretation with indignation and horror. He would sooner believe that Christ was deceived Himself than that He was deceiving others; '*falli enim pertinet ad infirmitatem, mentiri ad iniquitatem.*' But the plain words of Scripture, he continues, show that He was neither deceived nor deceiving. And this he says with the reading '*non ascendo*' before him, and unconscious that the true reading was probably '*nondum*,' which would of course have strengthened his argument.<sup>2</sup> Even if it had been necessary to understand 'not openly but secretly,' what need could there have been of supposing that our Lord was *taking in* His brethren? Even in that case, it would have been more natural to conceive that they understood His meaning, and thus, again, there would be no case of non-pure mental re-

<sup>1</sup> This case is thus put in the 'Treatise of Equivocation':—'The words are to be expounded thus: "I will not go upp yet," or, "to this feast," or, "I will not go with you," or, "manifestly as the Messiah, but in secret;" which is an evident defence of our cause, for the use of such propositions which have somewhat reserved or understoode in the mynde for their verification . . .

'First we must examine whether in the speech of our Saviour, "Ego autem non ascendo ad diem festum hunc," the word *ascendo* have the force of the present tense or the future; for albeit in some texts it be *ascendam*, yet the best Vulgate edition and all the Greeke have the present tense. Yet, notwithstanding, I say that it hath the force of a future; as if our Saviour had sayed, "Non ascendam," I will not go upp . . . This is a thinge well known to the grammarians, who have a certaine figure which they call Enallage, one kynd whereof is Enallage temporum, when one tense is putt for another, whereof we may read in Lynacre and Emanuel's grammar, and such as have written on figures at large . . .

'Secondly, we must determine whether our Saviour sayd, "Non ascendo," or "nondum ascendo;" for if he sayed, "I go not upp yet to this feast, there is then not so great strength in this argument by the force of the words themselves as would otherwise be. Although it be very probable that our Saviour spoke in sort that his brethren understoode that he would not go at all at that feast, inasmuch that we may very well take those words, "Nondum ascendo ad diem festum hunc," that he would not go at all at this tyme. And so the argument may still be of force, for he sayed he would not go, and yet afterward he went . . . So that we probably defend that our Saviour used such words (although he sayed nondum) as made them understand that he would not come to that feast, and yet went after, which, if it be so, it skylleth not whether we read *non* or *nondum*. But letting this passe, I saye that albeit in all the Greeke copies now extant it be, οὐπω *nondum*, and so did S. Chrysostome and Eutimius reade, yet did S. Cirill, a Greeke authour, read enegatively *non*. Also all the Latyn flathers reade *non*, and therefore the very Hereticke themselves oughte to admitte this readinge, at the least so far forth as to seeke out some sufficient and trewe exposition therof; and all Catholicikes are bounde to admitte *non*, because so it is in the Vulgate edition. Then doth it remaine that our Saviour Christe, sayinge that he would not go and going after, did reserve some secret words to make a perfect explication of his trewe meaninge.'—l'p. 37-41.

<sup>2</sup> S. Aug. Sermon. 133, vol. v. p. 739.

striction. At any rate, if it had been mental restriction at all, it would not have been *non-pure* but *pure* mental restriction; for the difference between the two we have seen to consist in this, that the last takes place solely in the mind, and can by no means be discovered from outward circumstances; which would have been the case in the present instance: while the first can become known from the circumstances connected with it; which would *not* have been the case in the present instance. Either, then, our Lord's words have nothing to do with mental restriction, which we have shown to be undoubtedly the case, or if they have, they go to justify not *non-pure*, but *pure* mental restriction, which, however, Liguori declares to be never allowable, and Pope Innocent XI. has condemned.

The other quotations may be, for the present, at least, more summarily dismissed. S. Augustine writes, 'Although every one who tells a lie may wish to conceal what is true, yet not every one who wishes to conceal what is true tells a lie.' Most assuredly; for they either speak the truth against their wishes, or they are silent; they do *not* employ non-pure mental restriction, whereby they would tell a lie and pass off a juggle on themselves to boot, vainly persuading themselves that in some way or other the self-juggle made amends for the lie. When such a sentence as the above is brought forward for the purpose of inferring from S. Augustine's authority that non-pure mental reservation is justifiable, we cannot be surprised that the following statement of Thomas Aquinas is tortured into being 'favourable' to the same conclusion:—'To be silent about the truth, and to express falsehood, are different things.' The doctrine of non-pure mental restriction may be fathered on Augustine and Aquinas in virtue of these quotations with as much truth as they might be attributed to any other writer who has happened to make use of the words truth and falsehood in the same sentence. But our author is not remarkable for the pertinency or accuracy of his quotations. In his 'Glories of Mary' he has made innumerable extracts from early writers, 'not only,' as he says, 'for use, but also that they may show the high idea that the saints had of the power and mercy of Mary, and the great confidence they had in her patronage.' A critic<sup>1</sup> is obliged to warn his simpler co-religionists that they must not use the book in controversy, for, 'to name but one, and that not the chief cause of this unfitness, it is only necessary to mention that S. Alphonsus did not scruple to make most important additions to the passages which he quoted from the Fathers; and this, though perfectly allowable in a book of meditations' (*Populus vult decipi et decipiatur*), 'of course destroys its value as a work of authority in

---

<sup>1</sup> The Rambler.

'matters of controversy'—because, we presume, a moderately informed opponent might be inconvenient.

What lies at the foundation of the theory of Amphibology is clearly a confusion between moral and material falsehood. The enunciation of a material truth is an assertion concerning a fact, which assertion is objectively true. For example, if I affirm that the sun stands still, I affirm a material truth; if I assert that it moves, I affirm a material falsehood. These affirmations have, of themselves, and as such, no moral character. If I had no intention to deceive in stating that the sun moved, as in common conversation I frequently do—much more if it was my conviction that it did move, as would have been the case before the discoveries of philosophers—I should not have been guilty of any moral obliquity, or be justly charged with moral falsehood. Moral truthfulness, on the other hand, consists in speaking out the honest convictions of the heart. I am guilty of moral falsehood when I say anything with intent to deceive my neighbour. Thus if I assert either that the sun moves or that the sun stands still, with some ulterior object of my own, and with a purpose of deceiving the person to whom I am speaking, I am equally culpable in a moral point of view. It appears, then, that the material truth or falsehood of the thing asserted has no effect whatever upon the moral truthfulness or want of truthfulness of the person who makes the assertion. The moral character of the act, as of all other acts, depends upon the deliberate purpose of the agent. Wherever there is an attempt to deceive, whether by a material truth or by a material falsehood, there is moral falsehood.

But the theory of Amphibology confounds this vital distinction. Its essence consists in being a moral falsehood conveyed by means of a material truth. Romish theologians would try to persuade us that the latter compensates for the former, whereas we have seen that it does not annihilate or remove one grain of its native deformity. That this is what lies at the bottom of systematized equivocation or amphibology will appear at once from the following instances, which we choose at random from Liguori. In his *Homo Apostolicus* he puts the case of a man who has spoken ill of his neighbour, which ill is true, but yet which the speaker ought not to have divulged. What is he to do? 'I am accustomed,' says Liguori, 'to recommend people 'to equivocate, and say, "*I said it out of my own head,*" for all 'words do come out of the mind, for which the head is taken.'<sup>1</sup> It is a *material truth* that all words do come out of the mouth, or mind, or head, and therefore Liguori thought that the *moral*

---

<sup>1</sup> Hom. Ap. Tr. xi. 18.

*untruth* which he puts into the speaker's mouth was annulled. It is difficult for anything to be more grotesque than this, and yet perhaps the other suggestion given in the same case goes beyond it. It is this: S. John (in a place not specified) says that all sin is deceitfulness and a lie: the speaker has done wrong in saying what he has said: therefore he has committed a sin: therefore he has told a lie: therefore he should say, *I made a mistake—I have told a lie*. Thus he is taught to say that the truth which he had spoken was a lie, thereby, of course, telling a lie, while at the same time he lays the flattering unction to his soul that he has been guiltless of any kind of falsehood. Again, the nature of the principle of equivocation is illustrated by the case of a servant saying *Not at home*. Cardenas says that he must put his foot upon a stone, and say that his master is not *here*, i.e. on the stone. Liguori, however, prefers his saying 'He is not *here*,' meaning at the door, or in the window, or in sight.<sup>1</sup> Everybody knows that conventional sayings, such as that under discussion, bear conventional meanings, and are known to bear conventional meanings, and therefore involve no deceit and no moral falsehood. Liguori thinks that because the phrase *Not at home* is materially false, the person who uses it is guilty of a moral falsehood. To escape this evil he suggests an equivocation, which makes the expression materially true, but implies an attempt at deceiving, and involves moral falsehood. So pitiably confused is this model-instructor of confessors and directors on this vital point.

The principle of non-pure mental restriction is the same. In illustration of this we will give an instance, not indeed found in Liguori, but accepted by Roman controversialists as a faithful exponent of their views, and justified as such. As S. Francis of Assisi was one day walking, he was passed by a person whom he recognised. Hardly was this person out of sight, when there came by others in search of him, and asked S. Francis if he had passed by. The saint did not wish to say Yes. His conscience forbade him to say No. What was he to do? He threw his arms into the air, brought his hands together, and in so doing pointed with his finger down his sleeve. Then he answered with a safe conscience, 'He has not passed *this way*.' It was quite true: he had not passed down the saint's sleeve. But was S. Francis therefore guiltless of a moral falsehood because he had contrived to convey that moral falsehood by means of a material truth? Yes, say Rome's casuists, because he used *non-pure* mental reservation. Had he not pointed down his sleeve, it would have been a case of *pure* mental

---

<sup>1</sup> Theol. Moral. 4. 165.

reservation: but the adroit movement of the finger altogether withdrew the act from this class of sins, and placed it among justifiable and right acts. St. Francis' soul would, according to their system, have become spiritually dead, had it not been for the finger: he would have been 'deprived of God's grace,' had it not been for the finger: he would have 'earned eternal punishment,' had it not been for the finger. But the finger was a talisman. It is a matter of doubt, however, whether it was his sleeve or his ear into which he pointed. 'So it is recorded 'of S. Francis,' says the *Treatise of Equivocation*, 'that beyng 'asked of one who was sought for to death, whether he came 'not that way, he aunswered, putting his hand into his sleeve, 'or, as some say, into his eare, "He came not this waye."' <sup>1</sup>

We believe we have now sufficiently illustrated the principles of Equivocation and Mental Restriction, and shall proceed to their application, under the guidance of S. Alfonso. We have already said that they would subvert all confidence and security in dealings between man and man, and cause utter distrust of all pledges. We will now ask a few questions, to which Liguori shall give the answers, or at least the proofs of the answers. What confidence can we put in assertions? in oaths? in vows? in evidence? Can promises be trusted? Can secrets be secure? In short, can we be justified in believing that acts and words will be in accordance with each other?

We will begin with the question relating to assertions.

'A man who has come from a place falsely thought infected, may say that he has not come from it, namely, (aside) as being pestilential, because that is the meaning of those who guard. Nay, Toletus, Lessius, and a great number of others, quoted by Sporer, allow that he may say that he has not come from it, even though he has passed through an infected place, provided that he is sure that he has contracted no pestilence, because it may be understood (aside) that he has not come in such a way as that danger is to be feared from him. But in this last statement I do not altogether acquiesce.'—4. 159.

The doctrine of probability has shown that Toletus, Lessius, or Sporer are quite sufficient authorities for a person to act with safety upon their opinion. In the *Treatise of Equivocation* a similar example is given, and there the assertion is represented as confirmed by oath:—

'A man cometh unto Coventry in tyme of a suspition of plague. At the gates the officers meete hym, and on his oath examine hym whether he come from London or no, where they thincke, certainly the plague to be. This

---

<sup>1</sup> *Treatise of Equivocation*, p. 50. A marginal reference is given to Simeon Metaphrastes apud Surium, tom. iii. Parsons refers to the same story in his *Treatise tending towards Mitigation*, and Jeremy Taylor in his *Ductor Dubitantium*.

man, knowing for certain the plague not to be in London, or, at least, knowing for certain that the air is not there infectious, and that he only ridd through some secure place of London, not staying there, may safely swear that he came not from London, answering to their final intention in their demaund, that is, whether he came so from London that he may endanger their cittye of the plague, although their immediate intention was to know whether he came from London or no. This man, the very light of nature would clear from perjury.'—P. 30.

'Three ways are assigned by doctors whereby a man may restore another's character when he has made public a crime of his which he has committed. . . . The third is, for the speaker to assert "that he had said what was false, that he had made a mistake, that he was deceived, or that he had lied." And though Soto, Cajetan, Bannez, and Sylvius, say that this way must not be used, thinking that these are real lies, yet "probably" Lugo, Sanchez, Wigandt, Lessius, Roncaglia, Mazzotta, with the "common" opinion, as he says, and the Salamanca doctors, with Villalobos, Trulenchius, Ledesma, Serra, Tapia, Prado, Sayrus, Navarrus, think that the aforesaid words are not lies but real amphibologies; for, as S. Thomas says, "Some sins are called in Scripture falsehoods and lies, as in the fourth Psalm, 'Why do ye love vanity and seek after a lie?' And there is the same in Jeremiah viii. 10, 'From the prophet to the priest they all perform a lie,' i.e. sins. In like manner, then, a man who has sinned," [or done wrong, which the individual in question has, by divulging a truth when he ought not to have divulged it,] 'can well say 'that he has told a lie,' or 'made a mistake.' " So in the case which we have put, we may well, nay, if there is need, we are bound, to make use of such ambiguous words.'—*Theol. Mor.* 4. 992.

'We are not bound, says Cardenas, with Lessius, to answer to the meaning of the man who asks the question, if there is good reason.'—4. 165.

'If a man has received a loan, and afterwards repaid it, he may say that he has not received the loan, understanding aside, so as to have to pay it.'—4. 159.

'Whenever a man is bound to hide another man's disgrace, he may lawfully say, I do not know, namely, (aside) I have no knowledge which is of use for answering: or, I do not know it as a thing which I can declare.'—4. 153.

'If a guest is asked if his dinner is good when really it is bad, he may answer that it is good, namely, (aside) for mortification.'—4. 160.

*Utinam his nugis!*—We call attention to the following case, and the reasoning upon which it is founded:—

'May an unfaithful wife declare to her husband that she has not committed adultery, meaning (aside) so as to have to tell him? She may equivocally assert that she has not broken the marriage, for it still exists. And if she has sacramentally confessed her adultery, she may answer, "I am innocent of this crime;" because it has already been taken away by confession. So Cardenas, who remarks, however, that she may not make that affirmation with an oath, because the probability of a fact is sufficient for asserting a thing, but certainty is required for swearing it. But it is replied that moral certainty is enough for swearing, as we said above with the Salamanca doctors, Lessius, Suarez, Sanchez, and the common opinion. And this moral certainty of the remission of the sin can be had whenever a person has received the sacrament of penance in a

good moral disposition. But for the question in hand, the Salamanca doctors say, with Soto, that a woman cannot deny her adultery, because it would be *pure* mental restriction. Cardenas, however, admits that in danger of death it is allowable for her to use a metaphor which is common in Scripture, where adultery is taken for idolatry, as in Ezek. xxiii. 37, "That they have committed adultery . . . and with their idols have they committed adultery." Nay, if the crime is really hidden, "probably," with Busembaum, Lessius, Trulenchius, Sanchez, Soto, Sayrus, and Peter of Aragon, the woman may deny with an oath, and say, "I have not committed it," in the same way as a culprit can say to the judge who does not legitimately interrogate him, "I have not committed the crime," understanding (aside) that he has not so committed it as to be bound to declare it to him.—4. 162.

It thus appears that four answers are allowed to the guilty wife:—1. That she has not broken the marriage. 2. I am innocent of this crime. 3. I have not committed adultery, meaning (aside) I have not been guilty of idolatry. 4. I have not done it (aside) so as to tell you. It will be seen that the first three replies are equivocations, increasing in the intensity of their folly and iniquity, and that the last, without the aside, which only makes matters worse, is a downright lie. The equivocation in the first reply is on the word *broken*. A wine-glass, when it is broken, no longer exists: but the marriage exists, therefore it cannot be broken. The second embodies a principle which we know is of but too universal application in Ireland. The equivocation lies in the word *crime*, as meaning both the act and the guilt of the act. And so, in Ireland, men lift up their heads to heaven and swear that they are as innocent as babes unborn, whilst their hand is still red with their neighbour's blood. They have been absolved—the guilt has been washed away—they are innocent *of the guilt of the murder*, in their own estimation, and therefore *of the murder* according to their equivocating logic. The third reply unites in a novel combination, ingenuity, folly, and profanity, cemented together into a compound of hypocritical mendacity. The fourth reply, putting aside the damaging understood clause, is, as we have said, a straightforward untruth: and we could more easily make allowance for a woman who under such circumstances succumbed to her temptations and told a plain lie, than for one who, equally telling the lie, attempted also to pass off a sophism upon herself by any of the first three methods, and so destroy her sense of the sin of untruthfulness, of which her previous sin had driven her to be guilty.

So much for the value to be put on assertions. Can promises be trusted? Let Liguori speak:—

'We must mark here as certain that no promise binds, although it has been accepted by the other party, if afterwards it becomes impossible, o



very harmful, or unlawful, or inexpedient, and, generally speaking, whenever any notable change of circumstances takes place, so that if it had been foreseen, the promise would not have been made; because a promise is always supposed to be made under such a tacit condition.'—4. 720.

'Three opinions are given, all sufficiently "probable."... The third says that a simple promise does not bind except *sub levi*, because it only binds of good faith, and they prove it from S. Thomas, who teaches that a promise binds only in the way of honour, and not in the way of civil law; that is, in the way of justice, as the Salamanca doctors explain.'—*Ibid.*

'The whole of the obligation commonly depends on the intention of the person making the promise. On this point Sa notices that scarcely any one who makes a promise intends to bind himself, or to give another the right of exacting, unless he adds an oath or makes an instrument, but generally only intends to declare his purpose.'—*Ibid.*

'In case a man has seduced a maiden on false promise of marriage, is he bound to keep the promise, if he is much superior to the woman in birth, and she was aware of the disparity? Palao, Pontius, Croix, Layman, Navarrus, Vasquez, &c. hold that simple inequality is not enough to free the man from his promise of marriage, but that the girl must, besides, have been able to have seen the deceit by other circumstances, for men do very often marry women beneath themselves in rank: but with great "probability" he is excused by Busembaum, Lugo, Sanchez, S. Antoninus, Navarrus, Sylvester, Angelus, Armendarius, and very many others, on the grounds that disparity of state is of itself a reason for prudently doubting the truth of the promise; and if the woman did not doubt, as she ought, that is an accident, and to be imputed to her own carelessness. . . . And in these cases a man is not bound to marriage, although he has confirmed his promise with an oath, as is said by Lugo, Sanchez, S. Antoninus, Sylvester, Cajetan, Soto, Navarrus and very many others. The reason of this is that an oath does not bind except according to the intention of the man who makes the promise.

'But how great ought the disparity to be, to free a man from the marriage? Lessius requires him to be of far higher birth; as that *he* should be the son of an Earl and *she* the daughter of an artizan. But Sanchez, with S. Antoninus and Navarrus, says that a much smaller inequality is sufficient, as that a noble should have to marry a farmer's daughter, or that the man should be considerably the richer of the two, as Sanchez adds with Navarrus, Lopez, Antony of Cordova, Veracruz, and Lessius. For thus speaks Navarrus in his Manual: "He is bound to fulfil his promises, except they should be very unequal in birth, power, or riches; say, that he should be noble and she a farmer's or artizan's daughter." S. Antoninus teaches likewise that he must keep his promise, except their condition in life should be very different; say, that the woman should be a plebeian and the man a noble and powerful.

'But in case the girl is totally ignorant of any disparity, is the seducer then bound to the marriage? Lessius and Busembaum say so "probably," because then the woman could not in any way discover the deception, but still it is "very probably" denied by Lugo, Viva, the Salamanca doctors, Cornejo, Sanchez, Antony of Cordova, Moneta, Peter Ledesma, and Veracruz. The grounds are that the seducer is only bound to what is equal to the injury offered: but the injury offered consists in his not fulfilling what the woman asked: so to repair the injury the man is not bound to give more than the woman asked. Now the woman, not knowing the man's condition in life, only asked that one of the same condition with herself or a little superior should marry her: if therefore a man of much better condition should marry her, he would be giving more than is equal to the injury done,

by giving what she neither asked nor intended to ask : and so he is not bound to marry her, but he does quite enough if he repairs the harm done by giving her a dowry or looking after her marriage.

'The same is the case, according to Sanchez, S. Antoninus, and the Salamanca doctors, if there is fear of great offence or quarrels between the relatives of the contracting parties. In a case where a man's family would feel disgraced by the marriage on account of the disparity of state, I think him to be not the least bound to marry the maiden whom he has seduced, whether his promise was true or whether it was false : for if he promised falsely, we have just proved that he is not bound to the marriage, no, nor to compensation : and if he promised truly, not even so is he bound to marry her, because the promise is *ipso facto* null by being about an unlawful thing, such as a marriage which would be a disgrace to the family. . . . A promise cannot be valid except it be about a lawful thing, for justice cannot bind to what is unlawful ; and so a promise of entering upon a marriage which would disgrace the family is not valid, because it is about a thing which is not lawful.'—4. 644.

The moral blindness and logical acumen with which we are here brought to the Q. E. D. is charming. It is the philosophy of sin. We hope that aristocratical parents will, for their sons' sake, duly appreciate these novel 'privileges of the nobility.' For ourselves we are well content that the right of seducing maidens on promise of marriage, and then refusing to keep the promise, should remain a privilege of the nobles of those countries alone where Rome's religion is professed and Rome's teacher's have sway. Next for promises of secrecy :—

'When you have made a promise without expressly binding yourself to keep the secret to your own detriment, it is certain that you may reveal it, since no one is thought to bind himself to a secret to his grave inconvenience. So say Layman, Roncaglia, Sporer, and Holzmann. But what is to be said if you have expressly promised not to reveal the secret, though it should cost you your life to keep it ? Can you then reveal it if in peril of life ? Sporer says so, and with sufficient probability, teaching that a man may, in that case, and is bound to do so, because no man is allowed to throw away his own life ; and Layman attaches himself to the same view. Some doctors, however, say very "probably," with Lugo, Molina, and Croix, that if you have made the promise, you have a sufficient obligation to keep the secret, even with danger of your life ; for it is one thing to throw away life, another to neglect its preservation in order to keep promises.'—4. 971.

Will the sanction of an oath help us ? No, for we have already seen that there is nothing wrong in swearing with equivocation whenever we may use equivocation without swearing, Nay, Garnet went further, and solemnly affirmed that it was his opinion, that the speech by equivocation being saved from a lie, the same speech might be, without perjury, not only confirmed by oath, but by any other usual way, though it were by receiving the Sacrament, if just necessity so required.<sup>1</sup> Here are a few cases in which this principle is applied :—

<sup>1</sup> State Paper Office. Quoted in Preface to Treatise of Equivocation, and Lingard's History of England, Reign of James I. chap. i. A.D. 1606.

'A penitent questioned by his confessor about a sin which he has confessed, can swear that he has not committed it, understanding aside, that he has not committed anything which has not been confessed. So say Cardenas, the Salamanca doctors, Sanchez, and Sporer. This must, however, be understood to hold in all cases except when the confessor is justly interrogating in order to learn the state of the penitent.'—4. 157.

'If any man has been forced into a marriage, he can assert before a judge with an oath that he has not contracted the marriage, namely, freely, as was right.'—4. 159.

'May a man, when asked to lend money, swear that he has none, when he has, understanding aside, that he has none so as to lend? The Salamanca doctors and Soto say No, on the ground that this mental restriction cannot be detected from circumstances. But this is only to be understood if the truth can in no way be detected; for if it could be conjectured from any circumstance, as the poverty or indigence of the lender, he may without difficulty understand I have not more than I want, so as to lend.'—4. 163.

'May tradesmen swear that their goods cost them more than they did, understanding aside, "together with some other goods?" Some say they may; but the Salamanca doctors are right in denying it. Yet Croix and Gobat say that "probably" they may, when they do not understand the mere price of the thing, but count into it the expenses of carriage, store, &c.'—4. 164.

'May men proceeding to their doctors' degree swear with equivocation that they have fulfilled some condition which they have not fulfilled, as that they have been engaged for so many years on a certain science, if they are equally fit with the other doctors to proceed? See Tamburini, who answers in the affirmative, and says that there is then a good reason for swearing, lest men who are really worthy should be rejected. But however this may be, it seems a matter more than "probable" to me that men proceeding to their doctors' degrees in Naples do not commit purjury when, as is usual, they write with their own hands, "I declare with an oath that it is the first year, &c." when it really is not; because the words "I swear," or "I declare with an oath," (as we said above with the Salamanca doctors, Bonacina, Sanchez, and Suarez,) is not an oath in itself, unless it is preceded by a question about swearing, and this question at Naples is either not made at all, or is not made about the real oath, but only about the material writing, which, from common usage, does not seem to be counted as a true oath.'—4. 166.

'Is it allowable to swear something false, adding in a low tone a true circumstance? Yes, answer Hurtado and Prado, with others quoted by the Salamanca doctors against Torre. They say that it is enough to make the words true, that there should be some external conformity with the conception of the mind, whether shown by gesture or by a whisper, and the other's not hearing it is a matter of accident. The Salamanca doctors explain it better. They say that it is allowable if the whisper can by any

---

<sup>1</sup> This example is thus enlarged in the 'Treatise of Equivocation.' 'One being 'convented in the Bishopp's courte because he refuse to take such a one to his wyfe as he had contracted with *per verba de præsenti*, having contracted with 'another privily before, so that he cannot be husband to her that claymeth him, 'may answere that he never contracted with her *per verba de præsenti*, understanding, that he did not so contract that it was a marriage.'—P. 81.

means be possibly perceived by the other, although its meaning is not caught, but not if it should in every respect remain concealed from him.'—4. 168.<sup>2</sup>

'Toletus says that a man commits a grave sin who uses equivocation when he offers to take an oath without being asked, because *then* he is bound to use words in their common acceptation, having no grounds for equivocating; but with "greater probability," and the "most common opinion," the Salamanca doctors say the contrary; namely, that when there is good reason of necessity or expediency, a man may use amphibologies in swearing, even though he offers to swear without being asked.'—4. 169.

This 'most common opinion of the doctors' overthrows the only defence under which, as we shall see presently, Romish apologists, when pressed with arguments, are able to attempt to shelter themselves, viz. that they are protecting themselves from the aggressor. Here we see that the whole authority of their own Moral Theologians is directly on the other side. The use of equivocal swearing is declared to be not only defensive but aggressive. The next extract cries out for the pen of Aristophanes to lash once more the modern sophists' form of the celebrated 'Η γλῶσσ' ὀμώμοχ', ἡ δὲ φρενὶν ἀνώμοτος.'

'A man who has only outwardly taken an oath, without intending to swear, is not bound, except perhaps on account of the scandal, for he has not sworn, he has joked.'—4. 171.

It was time, as Ranke has observed, for Jansenism to arise, when such sentiments as these could be published; and yet, in spite of the warning of Jansenism, Rome retains them in her codes of morals, awaiting, perhaps, a rougher hand than that of Port-Royal to undertake the work of reform.

'If a man makes a false promise and swears to it, what sin does he commit, and to what is he bound? *Distinguo*. A man may make a false promise with an oath in three ways: 1. Not intending to swear; 2. Not intending to bind himself; 3. Not intending to fulfil the promise.'—4. 172.

Here is a precious 'distinction' to puzzle simple persons' brains: then it is worked out. The man who swears without the intention of swearing, does not commit perjury, but only a venial sin. The man who swears, intending to swear, and not intending to bind himself, also commits a venial sin, and is not bound to keep the oath. *Distinguendum* is a wand of power in the hands of the modern casuists, and works wonders.

---

<sup>2</sup> Our readers will recollect Pascal's method of dealing with this doctrine:—'Indeed, father, is that not a lie and perjury too?' 'No,' said the father, 'Sanchez and Filiuccius prove that it is not; "for," says the latter, "it is the intention that determines the quality of the action." And he suggests a still surer method for avoiding falsehood, which is this: after saying aloud, *I swear that I have not done that*, to add in a low voice, *to-day*; or after saying aloud, *I swear*, to interpose in a whisper *that I say*, and then continue aloud *that I have done that*. 'This, you perceive, is telling the truth.' 'I grant it,' said I, 'it might possibly, however, be found to be telling the truth in a low key, and falsehood in a loud one.'—Letter IX.

‘It is certain that it is no grave thing to fail in keeping a small part of what you have sworn; for example, if you have sworn not to drink wine, you commit no mortal sin by drinking a little, because the smallness of the *materia* is an excuse. . . . You may say the same of a man who takes away only a little from a sum which he had sworn to give to another.’—4. 173.

It seems that we have improved upon the morality of the children of Jonadab the son of Rechab, and have developed since the days of Ananias and Sapphira.

‘You are under no obligation if you swear what is bad, or vain, or useless, or, as Cajetan says, indifferent, if it be not dignified by its end, or circumstances connected with it; for an oath cannot be a bond of iniquity, or of vain and idle things to which God does not wish us to be bound. Bonacina and others, according to the “common opinion.”’—4. 176.

We must recollect that the judge of what is bad, vain, idle, or indifferent, is the Director, and therefore that no oath of which he disapproves is to be kept.

‘Is a man who promises his concubine with an oath not to know another woman bound to keep his promise? Diana says No; but the Salamanca doctors with greater probability say Yes.’—4. 184.

‘Is a man who has made a promissory oath to return to prison bound to keep his promise, with a probable fear of death, or very grave unjust wrong? The first opinion says No, because it is an action intrinsically bad to offer oneself to death. So say Navarrus, Manriquez, Vasquez, Pontius, Covarruvias, Tamburini, Reginald. The second opinion with much more probability is in the affirmative, because when the promise had been made, it would be a work of virtue to go back. So Toletus, Suarez, Lessius, and the Salamanca doctors, though they call the first opinion “probable.”’—4. 186.

Poor Regulus! We used to admire his conduct, and to think that he had acted gloriously, as we read over and over Horace’s spirit-stirring ode when we were at school; but it seems that, in the judgment of Navarrus, Manriquez, Vasquez, Pontius, Covarruvias, Tamburini, and Reginald, he was doing a thing wicked in itself,—and the doctors who maintain the contrary still think it not improbable. Pity that our minds were not imbued with Liguorian morality after the fashion which was some time since proposed in France. Let Socrates, Plato, and Aristotle bow before our modern moralists!

There is another sort of swearing, which we who are accustomed to the Third Commandment and to our Lord’s discourses in the Gospels have been inclined to consider wrong;—but away with scruples: ‘We must mark that generally men who angrily utter words, such as, *By God! By Christ! I will kill you!*’ commit no grave sin, as they are for the most part excused ‘on the ground of ignorance or want of deliberation.’—4. 146.

This is sickening work. We will pass over vows which are

treated much in the same way as oaths. But at least it may be thought that, in solemn courts of justice, men will be allowed to give their evidence without this miserable dallying with their consciences and sense of truth: there, at least, they will not be justified in lying. Let us see.

'A witness or defendant, when not legitimately questioned by the judge, may swear that he does not know a crime which he really does know, understanding to himself that he does not know a crime about which he can be legitimately questioned, or that he does not know it so as to give evidence about it. So Cajetan, Sporer, Azorinus, Roncaglia, Sanchez, with Navarrus, Toletus, Valentia, &c. The same is the case if the witness, for some other reason, is not bound to give evidence; for example, if he is himself quite assured that the act committed is without guilt, as the Salamanca doctors and Elbel say; or if he knows the crime only as a secret, and no ill repute has previously got abroad. When, however, the witness or defendant is legitimately questioned by the judge, he must not use any equivocation, because he is bound to obey the rightful precept of his superior. This is the common opinion; and the same must be said about an oath in onerous contracts, because otherwise injury would be done to another. Except in the case of a trial the crime be altogether concealed; for then a witness may, *say he is bound to say that the defendant has not committed it*, and so may the defendant if there is not half-full proof. So says Tamburini, with the common opinion, because then the judge does not question legitimately.'—4. 154.

Can we any longer wonder at its being impossible to get evidence in Ireland, upon which to convict murderers?

'But it is asked, if a defendant or contractor, who is not permitted the use of equivocation, has deceived by equivocally swearing, can he be absolved without declaring the truth? Some say No, not without "probability;" but with more probability Sanchez, the Salamanca doctors, and Philarchus say Yes, because by such an oath, which cannot be called perjury, he has not sinned against commutative justice, but against legal justice, and the obedience due to the judge, whose command to discover the truth is only transient, and only lasts as long as he is making the inquiry. Sanchez says the same, also, about a lying witness; and so both of them may be absolved without their declaring the truth. They are, however, bound to make satisfaction in another way, if they can. If they cannot, the Salamanca doctors say that they are bound to discover the truth afresh in the court. But I should even excuse them, if they were altogether unable to make satisfaction either at present or at a future time.'—4. 155.

Our readers will inquire what is the meaning of legitimate questioning on the part of the judge. In the next book Liguori explains his meaning.

'It is certain that a witness is not bound to confess the truth to a judge, when he does not legitimately interrogate; for then he may lawfully answer, even with an oath, that he does not know the crime (aside) so as to be bound to declare it to him. But it is asked, when does a judge question legitimately? The reply is, when there is already half-full proof. . . . When there is this, the crime is no longer said to be secret, and therefore the judge has a right that the witness should declare the truth. So in common, Lessius, Navarrus, and others, with the Salamanca doctors, who observe that no witness is bound to answer in this way, unless repute of the guilt, or half-

full evidence of it, or clear signs of it, be already proved and shown to him by the judge, unless, indeed, it is quite certain that the judge is a good man, and he declares that he is legitimately questioning. . . . A judge does not legitimately question, unless there has previously been notoriety, ill repute, or other half-full proof.'—5. 266.

In the same spirit the Treatise of Equivocation explains 'the order of law, which order of law requires these five things :—

'First, that the party who examineth must be a lawfull superiour . . . Secondly, he must have authority over the person whom he examineth . . . Thirdly, the matter itself must be subject to the judge . . . Fourthly, he must procede according to a just law : for whereas a judge is, as Aristotle calls hym, a living law, as the law itself is a dumb judge ; even as the law when it is unjust is no law, so a judge, in the execution of an unjust law, is no judge. Fynally it is very necessary, for the due observation of order of law, that the judge do not proceede against a man to examine hym or call hym into question, but in cases which are publick and manifest, or when great suspicions and presumptions or common reportes, do seem to condemn the partye, or sufficient testimony convince hym, for otherwise it were against the law of nature. For how can there be greater disturbance of commonwealth than to have honest men molested or called into question at any one's fancye ? . . . In these cases when order of law is not observed, a man is not only not bound to confesse anything of hymself, but he is also bound to confesse nothing at all, for it were to prejudice hymself without necessity. And no man may prejudice his own fame, or goodes, or lyfe, without at the least a veniall synne, except he be bound thereunto by order of law.'—P. 68.

Liguori continues :—

'Even when legitimately and juridically interrogated, you are not bound to give evidence in the following cases. . . . 3. If notable harm will result to yourself or any belonging to you from your testimony. . . . 6. If the man probably did not commit sin in what he did, either owing to ignorance, or because he took something by way of compensation for a debt, and for doing so was charged with theft. For the judge's intention is to inquire about what is really a guilty action.—*Theol. Mor.* 5. 268.

'Bonacina says that if a witness has sworn to speak the truth, he is bound to speak it on the grounds of justice, because an obligation of justice arises from an oath and promise ; but with greater probability Lessius contradicts him, because a witness swearing that he will speak the truth, does not intend to bind himself to declare it on the grounds of justice, but only by virtue of religious scruple.'—5. 270.

'Is a witness bound to make restitution for the harm that has ensued, if he has concealed the truth when legitimately questioned by the judge ? Yes, say the Salamanca doctors. . . . No, says Molina, &c. . . . But you will say that if a man has, by his lie, hindered another from obtaining a good to which the latter has a right, he is bound to make restitution, and that so the witness is bound to make restitution, because he has hindered his neighbour from getting his rights by saying that he did not know what he did know, which was a lie. But it is replied that this holds when the lie is the positive cause which produces the harm, not if it is only the negative cause. Now, a witness who says that he does not know some true thing which he does know, is only the negative cause of harm ; for he puts no positive impediment in the way of the other man's getting his rights, he

only does not remove an impediment in his way, which impediment is defect of proof. This impediment a witness may be bound to remove, from obedience and religious scruple, as we said, or even sometimes from charity, but not from justice, unless it has happened that he has entered into a special compact with that side that he will divulge the truth.'—5. 270.

We are told a little further on, that a witness commits a crime in five ways, one of which is, If he discovers the truth which he ought to conceal. Who would not have expected the very converse of this proposition?—If he conceals the truth which he ought to discover? But what wonder that barefaced lying should be taught and justified, in courts where barefaced bribery is approved? Two extracts on this head, as it is not immediately connected with our subject, shall suffice.

'May a judge take money to despatch the cause of one man before another? Layman says that, looking to natural right, he does not dare to condemn it, because the new obligation which he undertakes is worth payment. The Salamanca doctors, however, more truly say the contrary, because a judge is bound on grounds of justice to be speedy in despatching the causes of all who have an equal right to despatch; unless he should take any extraordinary trouble which he was not bound by his office to take.'—5. 196.

'Does a man commit a sin who offers bribes to a judge, or to his ministers? *Distingue*. If he give without good reason, he commits sin by co-operating in an unlawful receiving, but not if he gives with a reason, namely, to free himself from annoyance which he does not deserve: but he must take care that there is a probable risk of his otherwise suffering manifest injustice; for then it is not a case of corrupting another, but of taking care that his own rights are awarded to himself. So in common, Sanchez, Lugo, Molina, Antony of Cordova, Palao, and the Salamanca doctors, against Ledesma. Nor are the prohibitory laws any objection; for what the laws intend is to provide against men giving money, and so corrupting the judges by bribes, not to prevent them from getting a just sentence.'—5. 212.

Is it strange that the courts of justice are what they are in Spain, in Rome, in Naples? Look at the case of witnesses. The distinction between legitimate and non-legitimate interrogation is enough to destroy all hopes of arriving at the truth. If a man is anxious to conceal the truth, he has only to say to himself that the judge is questioning illegitimately, and then he has no obligation to speak the truth. Even when that door is closed, and he acknowledges the legitimacy of the interrogation, he is still allowed to settle in his own mind whether the fact which he has witnessed was to the individual agent a sin; and if he determines that it was not, he may deny that it was done at all. Then, if he acknowledges that it is a sin, he must ask himself if any one else knows of it; and if it is known to himself alone, *he is bound to lie*, and say that he does *not* know it, or even *that the culprit has not done it*. And when, at last, he is bid to tell



the truth, it is not on the grounds of the sacredness of truthfulness, but on the principle into which Rome resolves every duty—obedience to positive precept. Look again at the litigants; they may bribe almost at pleasure, but must take care (by a direction of the intention, we presume) to be not corrupting the judge, but only getting their own rights. And look at the judge; he may without scruple receive bribes for despatching causes, according to the laxer opinion (which, however, is quite sufficient to justify him in acting,) in virtue of the new obligation into which he has entered—according to the stricter view, on account of any special trouble that he may take. Can degradation be lower? Can rottenness be more loathsome? And this is morality!

We feel that our readers have seen sufficient to be assured that Rome and her casuists have cut away every tie of obligation contracted by assertion, promises, vows, and oaths; that they have done away with all confidence that we could put in the word of their genuine disciples, under whatever sanctions guaranteed; and that, so far as they are able, they reduce society to its elements, where every man's hand is against his neighbour, and each person looks out for a snare concealed behind the specious acts and words of every other.

The line of defence assumed by Roman apologists is uniformly the same. Each man has a right, they say, to act upon the defensive; he has a right to keep guard over the knowledge which he has, in the same way that he may defend his goods; and, as for there being any deceit in the matter—why, soldiers use stratagems in war, and opponents use feints in fencing.<sup>1</sup>

We have already pointed out that the use of equivocation and mental restriction is allowed aggressively, as well as on the defensive, but we will pass that by, and examine this argument on its own grounds as chosen by our opponents. It will be seen that there are two things asserted. The first is, that we may keep guard over our knowledge, and not necessarily give it up to every one who asks questions of us. This is no doubt true, *provided that we use no unjustifiable means for doing so*, in the same way that we may defend our goods, not by every means good or bad, *but only by righteous means*. The second thing asserted is, that all kinds of equivocation and non-pure mental

---

<sup>1</sup> This is the traditional line of defence, handed down from times past to the present day. Thus in Parsons' *Treatise tending towards Mitigation* we find,—‘And here I ask Thomas Morton further what he will say to all the stratagems in war, for so much as there may be as well lying in facts as in words, according as our S. Thomas and other divines do hold? How will T. M. excuse their stratagems, that is to say, policies, deceits, and dissimulations of enemies in wars, from lies? Will he condemn all such stratagems as sinful? Why, then, do the Protestant captains and leaders use them?’—P. 290.

restriction are justifiable means, and this is argued for on the grounds that similar measures are taken in war, and its imitation, fencing.

But mark what this implies. No less than that we are living under the curse of Ishmael—that we are always at war with every one about us—that we are fencing—that we look upon our brother-Christians and countrymen as enemies, whom, as in the battle-field or in the gymnastic-room, (where such dealings are expected, and therefore free from culpability,) we may fairly take in by feints, and stratagems, and amphibologies. We are thankful to know that Englishmen do not regard one another in this light; but wherever this state of society does exist, there the natural consequence is lying. In several continental countries this is so. In Spain, for example, the mere fact of asking the simplest question does impose upon the speaker the character of an aggressor and assailant. We have jogged along the roads of Spain, talking amicably and frankly with a chance passenger. Presently, by way of conversation, we have asked a question, *Donde se va?* Immediately there has fallen a cloud of suspicion on the traveller's face: he has curtly replied with the name of some place far from his present direction, and then the conversation has ended; he has pushed on or dropped behind, and would have no more to say. Indeed, it is one of the arts of the guides, by which a good guide is known from an indifferent one, to be ready with a plausible lie in regard to the direction of his master's journey, when questions are asked at the posadas. The reason of this is, that men feel at war with one another. And so in Italy, lying is taught on the grounds that the inquirer must be dealt with by stratagem. The following anecdote is given in a note to the fourth chapter of Cases of Conscience:—

'The Abbate Bricconi was tutor to the son of an English Roman Catholic gentleman of the old school. One day in Rome, explaining the liberty of simulation, he said, "Suppose I am going to Naples, but do not wish it to be known where I am going, and my interrogator has no right to question me, I answer, I am going to Genoa." "*Ma Signor Abbate,*" said the noble English boy, but half a Papist, "*mi pare questo sarebbe una bugia.*" He was called an *impertinente*, and given a good penance.'—P. 77.

It may be that if Liguorian morality spread, (and let us recollect that it is the morality which is taught in every Romish confessional in England and Ireland,) this happy state of war and fencing may be produced here, and then, having generated the evil, Rome's theologians will justify their morality by its existence. How thankful ought we not to be at the prospect of first being reduced from robust health to the diseased state of Naples and Spain, and then of being supplied with a cup of Liguori's nixture to make us better! By a new application of

the Homœopathic system, immorality must be called in to cure the vice which it will itself have caused.

But to return to our text-book. At least it will be thought that sufficient care has been taken for allowing men to lie with a safe conscience, and to break faith without any troublesome scruples, by means of the Equivocations, Mental Restrictions, Conditions, Distinctions, Probable Opinions, and other scaffolding, which we have seen provided for them. But this is only the beginning. There may be tender consciences, over which the force of truth may yet hold some sway, and still further provision must be made for their necessities. Accordingly there remain Dispensations, Irritations, Commutations, Relaxations, Cessations, and Remissions. Now, at least, we are safe—now we are quite secure against having to keep our promises, to perform our vows, or to fulfil our oaths.

‘In how many ways can the obligation of a vow be removed? In two ways :—1. Without the intervention of any one’s authority, and that either by the change of matter, (as if the matter had been before good and became bad or indifferent, or an obstacle to a greater good, owing to a new circumstance, or prohibition, or absolutely or morally impossible,) or by the cessation of the condition on which it depended. 2. By the intervention of human authority, and that in three ways, by Irritation, Commutation, and Dispensation. This is the common opinion. Hence you may conclude, that, although it is by your own fault that the matter has become impossible, useless, &c., yet, since it has become so, the obligation ceases, and it is enough to be sorry for your fault.’—4. 225.

‘Dispensation is the absolute doing away with the obligation of a vow, and is made in the name of God. Good reason is required for its validity, such as,—1. The good of the Church, or the common welfare of the republic, and even of a family, or the greater advantage of the man who has vowed. 2. A notable difficulty in observing the vow. 3. Imperfection of act, or levity, or easiness from which the vow proceeded.’—4. 250.

‘A sufficient cause for dispensation is danger of transgression on account of the particular indisposition of the person who has made the vow, or on account of the common frailty of man. Great difficulty in the execution is also a sufficient reason, not only if the difficulty was unforeseen, as Sanchez, Palao, and Suarez say, but also if it was foreseen, as the Salamanca doctors think with Leander and Tamburini. . . It is a sufficient reason, too, if the man under the vow is troubled with great scruples. Besides, even if there is no danger of transgression, and no great difficulty in the execution, still it is a sufficient reason if the vow was made immaturely, with too great facility, with imperfect consideration, or without perfect liberty.’—4. 252.

‘Those who can dispense are the following :—1. The Pope, with respect to all the faithful. 2. A Bishop, with respect to those under him, but not a parish priest. 3. Regular Prelates, who are exempt, in respect to their monks and novices. . . . By privilege from the Pope, the confessors of the Mendicant Orders, subject to the permission and regulation of their superior.’—4. 256.

'A Prelate seeing, and not contradicting when he easily can, seems to give a dispensation, says Sa.'—4. 254.

'How can the obligation of oaths be taken away by means of irritation, dispensation, commutation, or remission? . . . If an oath cannot be kept without common damage, or be about a contract forbidden by law, in truth such oaths do not require relaxation, as they are null in themselves. But suppose they *are* valid, they can be relaxed by the Church, and under the name of the Church come not only the Pontiff, but also Bishops, Chapters while Sees are vacant, and others with Episcopal jurisdiction, and also confessors with a delegated faculty of dispensing in vows, for they can also relax oaths of this kind.'—4. 192.

Illustrations always make us realize abstract propositions in a way which we otherwise find difficult. We will, therefore, take a supposed case, and see how these principles would work. Let us suppose that some hundred gentlemen have been admitted to certain privileges on the condition of binding themselves by oath to act in a particular way in connexion with a certain subject. Let us further suppose, by way of clearness, that such privileges were, sitting and legislating in the Houses of Parliament, and that the condition which they have sworn to observe was, that they should do nothing to the detriment of the Established Church of England and Ireland. Having pictured such a case to ourselves, let us also suppose the same gentlemen, who have taken this imaginary oath, to be zealous and earnest persecutors of the said Established Church in parliament and out of parliament; let us suppose them to be straining every nerve for its overthrow and utter destruction. Let us go so far as to conceive by a stretch of imagination that such language as the following might be found in their mouths:—'Enormous abuse,'—'Incubus on the country,'—'Hideous injustice,'—'The levelling of which will alone give peace to Ireland,'—and other phrases of a similar nature. Having made these imaginary suppositions, let us further suppose that these gentlemen were called upon before the bar of their own consciences, or the outraged public opinion of their fellow-countrymen, to justify their actions and their words, and to show how they were in accordance with the solemn oaths which they had sworn. Would S. Alfonso de' Liguori's principles of Morality, sanctioned as they are in the fullest manner by an authority invested with the halo of infallibility, in which these gentlemen are bound to believe,—would the principles which we have been drawing out be such as they might shelter themselves under in their hour of trial? Let us draw up the curtain, and we may have the following scene:—

*Judge, loquitur.*—'Gentlemen, you are charged with a want of good faith, and you must sit down under this imputation, unless you can free yourselves from it by appealing to the rules laid down in S. Alfonso's "*Moral*

Theology," which I am bound to hold sacred and sufficient to justify you, provided you can show that your conduct has been in accordance with them.'

*Culprit 1.*—'I used a word which would bear two meanings.' Acquitted.—4. 151.

*Culprit 2.*—'I used a sentence which would bear two meanings.' Acquitted.—4. 151.

*Culprit 3.*—'In replying to the question put to me, I used the formula, *I say, No*, and confirmed it with an oath, meaning that I swore that I was making use of the word *No*.' Acquitted.—4. 151.

*Culprit 4.*—'I used non-pure mental restriction.'—*Judge*. 'Are you sure that it was not pure mental restriction, which is a thing not allowable?' 'Quite. Indeed, my well-known abhorrence of the Establishment would in itself be a sufficient circumstance from which a prudent man might gather that I did not intend what I swore, (4. 643;) but, to make sure, I whispered something which no one overheard so as to understand.' (4. 168.) Acquitted.—4. 151.

*Culprit 5.*—'I took no oath at all: I only swore externally, and therefore I took no oath, I joked. *Ἡ γλῶσσα ὁμῶμοχ, ἡ δὲ φρὴν ἀνώμοτος.*' Acquitted.—4. 171.

*Culprit 6.*—'I took no oath: I only said *I swear*, and this was no oath because no question preceded it.' Acquitted.—4. 166.

*Culprit 7.*—'I took no oath: I only said, *I declare with an oath*, and that is no oath, for the same reason.' Acquitted.—4. 166.

*Culprit 8.*—'I took no oath: for from common usage the material writing or speaking does not seem to be counted a true oath.' Acquitted.—4. 166.

*Culprit 9.*—'I did swear, though falsely: but I had a good reason for it, lest I, a worthy person, should be rejected.' Acquitted.—4. 166.

*Culprit 10.*—'I swore without the intention of swearing, and that is only a venial sin.' Acquitted.—4. 172.

*Culprit 11.*—'I swore intending to swear, but not intending to bind myself, and that is only a venial sin.' Acquitted.—4. 172.

*Culprit 12.*—'I conscientiously object to the oath, and therefore am under no obligation from it. An oath cannot be the bond of iniquity.' Acquitted.—4. 176.

*Culprit 13.*—'I consider it a useless oath, and therefore I am under no obligation from it. An oath cannot be a bond of vain and idle things to which God does not wish us to be bound.' Acquitted.—4. 176.

*Culprit 14.*—'I think it to be about an indifferent matter, and therefore I am not bound by it.' Acquitted.—4. 176.

*Culprit 15.*—'I am not bound by the oath, because the greater part of my colleagues do not act upon it.' Acquitted.—4. 180.

*Culprit 16.*—'I hold the oath to be obsolete, and therefore am free from the obligation of observing it.' Acquitted.—4. 180.

*Culprit 17.*—'I considered the object to which I swore good at the time, but now I think that circumstances have made it unlawful.' Acquitted.—4. 187.

*Culprit 18.*—'I considered the object to which I swore good at the time, but I think that it has now become idle.' Acquitted.—4. 187.

*Culprit 19.*—'I think that it has become a hindrance to a greater good.' Acquitted.—4. 187.

*Culprit 20.*—'I consider that it is better that it should be omitted than fulfilled.' Acquitted.—4. 187.

*Culprit 21.*—'I swore, but I have changed my oath into a work clearly better and more pleasing to God.'—*Judge*. 'But had you not sworn something to the good of others? God does not wish man defrauded.'—

*Culprit.* 'No, it was to the harm of others, not their good.' Acquitted.—4. 187.

*Culprit* 22.—'I swore, but the state of the case has become notably changed, and therefore I am not bound to keep my oath.' Acquitted.—4. 187.

*Culprit* 23.—'The end proposed by the oath was doubtless the advantage of religion and of the commonwealth; now I think that the observance of the oath has become useless for this end, and therefore I am not bound by it.' Acquitted.—4. 187.

*Culprit* 24.—'I took the oath, but I can't keep it.' Acquitted.—4. 187.

*Culprit* 25.—'Nature and the Doctors teach that every oath is taken under this condition, "Saving the rights of my Superior." The Pope being my Superior, I am bound to save his rights, and so far as the oath interferes with his rights it must give way.' Acquitted.—4. 187.

*Culprit* 26.—'I should lose my character in Ireland if I kept it.' Acquitted.—4. 187.

*Culprit* 27.—'I should lose my seat and that would be grave damage.' Acquitted.—4. 187.

*Culprit* 28.—'The oath was in illicit matter, and therefore, *ipso facto*, null.' Acquitted.—4. 644.

*Culprit* 29.—'The oath cannot be kept without common detriment.' Acquitted.—4. 192.

*Culprit* 30.—'I have received a dispensation.'—*Judge.* 'On what grounds was the dispensation granted?'—*Culprit.* 'On the grounds that the good of the Church, and consequently of the commonwealth, was against my keeping the oath.' Acquitted.—4. 192.

Who shall bind Proteus? Who shall tie to truth and fair dealing men who can have recourse to Rome's casuistry as often as their consciences become uneasy?

But, for purposes of illustration, we need not have recourse to cases which may be considered imaginary. The 'Treatise of Equivocation,' which we have placed at the head of our article, supplies us with the same principles; and the events connected with it tell us how those principles were applied by their authors and defenders. This treatise, published from a MS. in the Bodleian two years ago, has scarcely attracted so much attention as it deserves, regarded as a literary and historical document, apart from its controversial bearings. It was well known that such a treatise had existed, and that it was the authorized manual, employed, not without provocation, by the missionary priests and others in England, during the latter part of the reign of Elizabeth. It had been produced by Sir Edward Coke, in the trial of Garnet and the other conspirators in 1604. 'And here,' says the authorized 'Report of the Proceedings,' 'was shown a book, written not long before the queen's death, at what time Thomas Winter was employed into Spain, entitled *A Treatise of Equivocation*, which book being seen and allowed by Garnet, the superior of the Jesuits, and Blackwell, the arch-priest of England, in the beginning thereof Garnet

‘with his own hand put out these words in the title, of *Equivocation*, and made it thus, *A Treatise against Lying and Fraudulent Dissimulation*, whereas, in deed and truth, it makes for both; *Speciosaque nomina culpæ Imponis Garnette tuæ*. And in the end thereof Blackwell besprinkles it with his blessing, saying, “*Tractatus iste valde doctus et vere pius et Catholicus est. Certe S. Scripturarum, Patrum, Doctorum, Scholasticorum, Canonistarum, et optimarum rationum præsidiiis planissimè firmat æquitatem æquivocationis. Ideoque dignissimus est qui typis propagetur ad consolationem afflictorum Catholicorum et omnium piorum instructionem.*”’ Morton, Bishop of Durham, wrote a systematic reply to it in 1606, in his *Full Satisfaction*. Dr. Robert Abbott, in his *Antilogia*, in 1613, and Henry Mason, in his *New Art of Lying*, in 1624, discussed its principles. Parsons in his *Treatise tending to Mitigation*, in 1607, spoke of it as ‘a certain Catholicke manuscript treatise, made in defence of Equivocation, and intercepted by them:’ and Casaubon gave an account of it in his *Letter to Fronto Ducaus*. But where was the Treatise itself, which had once made such a stir in the world? Nobody knew, and it was generally supposed to be lost. A hue and cry was raised for it by an anonymous inquirer in *Notes and Queries*; and, near the end of the year 1850, it was found in the Bodleian Library among the Laudian Miscellaneous MSS. The way in which it got there is curious. The occasion on which it was first made *publici juris* is thus recorded by Sir Edward Coke, in a manuscript note on the first leaf of the Treatise. ‘This book, containing sixty-one pages, I found in a chamber in the Inner Temple, wherein Sir Thomas Tresham used to lie, and which he obtained for his two younger sons. This 5. of December, 1605. Edw. Coke. *Os quod mentitur occidit animam.*’ After having been produced at the trial, as mentioned above, it was laid up in the State Paper Office. In 1612, it was borrowed from thence by Archbishop Abbott, and lent by him to his brother, the Regius Professor of Divinity in Oxford, who was at that time composing his *Antilogia versus Apologiam Andreae Endæmon-Joannis pro Henrico Garneto*. A memorandum of the State Paper Office, which has been accidentally preserved, notices that the Archbishop, in restoring the other papers which had been delivered to him, had omitted to send back the Treatise. Thus it came into Laud’s possession, when he succeeded Abbott at Lambeth, and was by him given with other papers to the Bodleian Library.

The author of the work is unknown. Abbott, in the polite language of the controversy of his day, styled him quietly, ‘*Sacerdos quidam Sathanæ.*’ Casaubon says that it was written ‘*ab eruditis Pontificiis in hoc regno.*’ It is corrected for the

press by Garnet, approved by Blackwell, and defended by its apologists, not on the plea of the exigency of the times,—this is very noticeable,—not on the plea of the exigency of the times, but on account of the righteous nature of the doctrine which it propounds.

The object of the book is twofold: first, to justify Southwell in having instructed a witness that she might conscientiously affirm on oath, in a court of justice, that she had not seen him in Bellamy's house, although she had been in the constant habit of meeting him there, provided that, at the time of taking the oath *I have not seen him*, she said to herself, *so as to tell you of it*; and secondly, to provide an authorized system for evading the truth, without being guilty of what the Church of Rome considers to be a lie.

The first chapter lays down the principle, that an oath ought to fulfil three conditions to be a lawful oath: it must be sworn in truth, in justice and judgment.<sup>1</sup> The premiss seems far enough away from the conclusion which is to be reached; but the space is very quickly bridged over. It is clear that, if an assertion is true, the same assertion confirmed by an oath is likewise true: if, therefore, there is no deficiency of truth in the assertion, *I have not seen him*, with the aside, *so as to tell you*, when nevertheless I have seen him,—in that case the oath confirming that assertion is not wanting in truth. The point, of course, is to prove that such an *assertion* is truthful. For this end propositions are divided into four kinds:—

‘The first is a mental proposition, only conceived in the mynde, and not uttered by any external signification... The second is a vocal proposition, as when I utter these words with my mouth. The third is a written proposition, as if I should set down the same in wryting. The last of all is a mixt proposition, when we mingle some of these propositions, or parts of them together; as in our purpose when, being demanded whether John at Style be in such place, I knowing that he is there indeed, do say nevertheless “I know not,” reserving or understanding within myself these other words, “to the end for to tell you.” Here is a mixt proposition containing all this—“I know not to the end for to tell you.” And yet part of it is expressed, part reserved in the mynde. Now unto all these propositions it is common that then they are trewe when they are conformable to the thing itself; that is, when they so affirm or deny as the matter itself in very deed doth stand. Whereof we inferre that this last sort of proposition, which partly consisteth in voyce, and partly is reserved in the mynde, is then to be adjudged trewe, not when that part only which is expressed, or the other only which is reserved, is trewe, but when both together do contain a truth.—P. 8.

We will not pause to point out the puerile confusion here exhibited between material truth and moral truthfulness. Our

---

<sup>1</sup> Jer. iv. 2.



object is rather to show the contents of the book, than to undertake so superfluous a task as that of refuting it. The third chapter consists of a 'metaphysical consideration,' proving that such mixed propositions are true propositions, and that 'their veritye is not to be judged according to that which is uttered in words severally, but according to the words and some other thing understood or reserved.' The fourth is an appeal to authority. David used mixed propositions; for he said that the wicked should not rise again in the judgment, which is 'a false and heretical proposition,' unless he reserved something in his mind. Our Saviour used them; for He said that whatsoever He had heard from his Father, He had made known to His disciples: and that whatsoever two faithful persons should ask, it should be done; and that He was not sent but unto the lost sheep of the house of Israel; and that Jāirus' daughter was not dead, but asleep; and that His disciples could not go where He was going; and that the Son knew not the day of judgment; and that He was not going up to the feast. S. Paul used them; for he said that no man had seen or could see God; and yet 'Moses, as most holy fathers do affirme, and our blessed Ladye, as most schoolmen hold, and S. Paul hymself before that time, saw the very essence of God.'

This is quite enough for the first purpose which the Treatise was to serve; and so in the three last chapters, we are brought triumphantly to the conclusion, that such an oath as that which Southwell taught Miss Bellamy to take, is wanting neither in truth, nor in justice, nor in judgment. It is not wanting in truth; for 'an oath of an equivocal proposition is a trewe oath, because of the truth of the proposition alone—because of the doctrine of the fathers—because it skylleth not that the proposition is conceived as false—because in every oath there is understood this condition, that I will do so far as it is lawful—and because, in not meaning to perform the oath in the immediate sense of the judge, I have no contrary meaning to the principal meaning and intention which he hath, *or should have.*' It is not wanting in justice; for 'when the partye which is examined is asked that particular question, *Was he there?* what hyndereth that he may not say *No?* Not his oath; for that falleth not upon that question, being an unlawful question. Then it is only the lye; and being hurtful to nobodye, the most that these canonistes can make of it is but an officious lye, which is but a small veniall synne, and rather to be incurred than the other, of prejudicing so highly our neighbour. And yet, if he did equivocate, meaning *No, to tell you*, then was it no lye at all, and it was but an equivocation not sworn; for the oath, as I said, did not nor could fall upon that question:

'so that it is an equivocation very far from perjury.' It is not wanting in judgment,—that is, it may be taken without rashness or indiscretion; for 'so long as there is, in the sense of that which I swear, veritye and justice,'—which has just been proved,—'I may without all rashness swear in this manner, so ofte as, having the fear of God before my eyes, I probably repute that either my own just profit, or of my neighbour, or the honour of God, doth so require.' The conclusion is as follows :—

'So that all allow this speech, *I will answer whatsoever I knowe*, meaning, *for to tell you*. If they will not admit that limitation, then, according to Bannez, they are bound to understand it, notwithstanding, in all his answeres. But, for further direction of the partye examined, if the oath be ministered generally, let hym admit the oath with this intention, that he will answer directly and truly, and (if so they urge hym) without all equivocation, so far as he is assured, without all doubt or scruple that he may or is bound. And if they make hym swear that he hath no private intention, or secret meaning, let hym swear it also with that very same secret understanding, that he hath no such meaning—to tell them. And with this general meaning at the beginning, when he took the oath, let hym not doubt but he shall be safe from all perjury, although he answer truly to nothing, because in these cases he is bound to answer directly to nothing. Yet, for to save hymself from lying, (which, notwithstanding, were but a very veniall synne in these matters, and of far less account than, perhaps, many other synnes which he hourly committeth,) let hym use some reasonable kynds of equivocation, as he may easily learn of the wiser sort; that is, let hym speake some words which may satisfye the hearers, and, with some other words which he conceiveth, may make a trewe sense. And let hym assure hymself, that by no way he can sinne more heinously in these matters than to disclose that which is indeed, whether he have sworn it or no. But if he had no intention of equivocation at the first when he took the oath, yet let hym persuade hymself, nevertheless, that he is not bound by his oath to do anything which becometh not an honest man; and so, if he equivocate in the particular question, he synneth not at all. If he tell plain lyes, without any true sense reserved, those do not so much offend God with their falsitye, as He is wont to reward such fidelitey, as we read in the midwives of Egypt, and in that honest harlot, if so we may call her, Rahab, to whom God hymself showed special favours. Fynally, if he be urged to swear the truth of some particular matter, let hym intend to tell the truth—so far as he is bound. If *to do* any particular unlawful matter, if it be such a thing as may be well interpreted, and not to tend to any scandal or dishonour of God, let hym swear it with equivocation, but not meaning to do it. If it be scandalous, or manifestly contrary to Christian duty, he must needs refuse it, as hath been declared before.'—P. 103.

Thus Southwell's good faith is vindicated, as well as 'the practice which was common in all Christian courts, and in all politicke governments, before these accusers or their great-grandfather Luther was born, when the world was governed with as great piety, justice, and learning, as these scrupulous persons will ever establish in this realm, though they use never so great diligence.' The Treatise would not, however, be com-

plete in its character of a manual, if it contained no more than this. There are other ways, besides this method of mental restriction, (here called equivocation,) 'whereby, without a lye, a trewth may be covered;' and these must be enumerated. The first of these answers to Liguori's first form of Amphibology, 'where a word hath many significations, and we understand it 'in one sense which is trewe, although the hearer conceive the 'other which is false. . . . . The like whereunto were, if one 'should be asked whether such a stranger lodgeth in my house, 'and I should answer, *He lyeth not at my house*, meaning that 'he doth not tell a lye there, although he lodge there.'<sup>1</sup> The second is, 'when unto one question may be given many answers; we may yeeld one, and conceale the other.' The third corresponds with Liguori's second form of Amphibology, where 'the 'whole sentence which we pronounce, or some word thereof, or 'the manner of poynting and dividing the sentences, may be 'ambiguous, and we may speak it in one sense trewe for our 'advantage.' Thus, 'it was not reprehensible, in one which 'had just cause, to say his father's name was Peter or Paul, 'because the Apostles are the spiritual fathers of the worlde;' and, 'so if one should say to a theife, *Juro tibi numeraturum me* '200 aureos, the word *tibi* may be joyned with *juro*, or with '*numeraturum*. In like manner a man may cunningly alter 'the pronounciation, as if, according to the Italian manner of 'pronounciation, a man should say *tibi uro* for *tibi juro*, which 'two examples Bellarmine bringeth in his Dictates, 2. 2. q. 89. 'ar. 7. dub. 2., as also before (adds Garnet) q. 69. ar. 2. 'dub. 2.'

'To these three ways of concealing trewth by words, if we add the other of which we spoke before,—that is, when we utter certain words which of themselves may engender a false conceit in the mynde of the hearers, and yet, with somewhat which we understand and reserve in our myndes, maketh a trewe proposition.<sup>2</sup>—then shall we have four ways how to conceal a trewth without making a lye.'—P. 52.

And what effect had these doctrines on the moral conduct of their promulgators and recipients? Take the case of Garnet himself. Casaubon recounts how he acted upon his principles at the time of his own trial. During his imprisonment,

<sup>1</sup> P. 49. A similar case is given in p. 29. 'If I be asked whether such a one be in my house, who is there indeed, I may answer in Latin, *Non est hic*, meaning that he eateth not there, for so doth *est* signifie.'

<sup>2</sup> Other examples of this mental reservation, besides those already given, are the following: '*Non feci*, I did not,' understanding '*ut dicam tibi*, that I may or ought to tell you;' or, 'I did it not, yesterday.' '*Non habeo*, I have it not,' understanding, 'for to give you.' '*Dabo*, I will give you an hundred pounds,' understanding, 'if I fynd it in Cheapside.'—P. 31.

he had been in the constant habit of holding communication with Hall or Oldcorne, who was confined in an adjoining chamber. The words which passed between them were overheard, and many facts were in this method elicited. After a time, Garnet was charged before the Lords of the Council with having held these conferences. He put a bold face on the matter; and, although warned not to equivocate, denied it upon his soul, 'reiterating his denial,' as the Earl of Salisbury said, 'with so many detestable execrations, as it wounded the hearts of the Lords to hear.' It was told him that Oldcorne had confessed the fact, upon which the wretched man 'cried the Lords' pardon, and said he had offended, *if equivocation did not help him.*' Again, take the case of Francis Tresham, to whom this identical Treatise which is now in the Bodleian belonged. During his examination, he had admitted Garnet's complicity in the mission of Winter to Spain. A few hours before his death he wrote a paper, and signed it with his name, declaring that he had made his previous statement only to avoid ill-usage; and that, 'upon his salvation, it was more 'than he knew that Garnet was privy to the sending of Thomas 'Winter into Spain;' and 'that he had not seen Garnet for sixteen years before, nor never had letter nor message from him.' This was wholly false, as all but Liguorians and their predecessors count falsehood. Garnet acknowledged his constant intercourse with him; and on being asked by Lord Salisbury 'what interpretation he made of the testamental protestation of 'Tresham,' replied, 'It may be, my Lord, he meant to equivocate.' 'This,' says Sir Edward Coke, in a letter to Lord Salisbury, 'is the fruit of equivocation, the book whereof we 'found in Tresham's desk—to affirm manifest falsehoods upon 'his salvation, *in ipso articulo mortis.* It is true that no man 'may judge in this case, for *intra pontem et fontem*, he might 'find grace; but it is the most fearful example that I ever 'knew.'<sup>1</sup>

The exhumation of this Treatise gives an opportunity of examining an interesting question,—how far the Theory of Truthfulness, taught by Rome at the beginning of the seventeenth century, is the same as that which she teaches in the nineteenth. Our extracts from S. Alfonso de' Liguori will have shown that, in spirit, they are identically the same. In form they differ, but only to this extent. There is a greater boldness and shamelessness two centuries ago; a greater consciousness that all the world is not prepared to accept such principles in

---

<sup>1</sup> State Paper Office, Criminal Trials, vol. ii. p. 102. Quoted in preface to 'Treatise of Equivocation.'

their nakedness now. There is a *naïveté* and a heartiness then, which is exchanged for doggedness of assertion now. But more than this. In the interval between the publication of the 'Treatise of Equivocation' and the 'Theologia Moralis,' there lived Innocent XI. Innocent XI. of the house of Odescalchi, was a Pope meek and mild in manner, but firm and high in purpose. In his opposition to Louis XIVth's encroachments on the spiritual power, he found himself fighting side by side with the Bishop of Pamiers and others of the Jansenist party. A man of uncompromising and inflexible integrity in his private life, he naturally leant towards the Jansenist codes of morality, and had little sympathy with the system which, twenty years before he had been raised to the pontificate, Pascal had held up to scorn and indignation. Accordingly he made short work with many a darling proposition, which had been enshrined in such books as are represented by Herman Busembaum's *Marrow of Moral Theology* and other works of 'the Society.' Regardless of the long line of logical argument on which they rested, regardless of the ingenuity and authority of their supporters, Innocent acted on the instincts of a human heart, and unsparingly condemned propositions as soon as they touched upon practice, without venturing—or deigning—to grapple with the subtle train of dialectic on which they were speculatively founded. Accordingly, on the subject of Mental Reservation, we find the three following propositions 'condemned by Innocent XI:—

'I. If anyone, either alone or in the presence of others, either asked or of his free will, either for amusement or for any other reason, swears that he has not done something which he really has done, meaning in his own mind something else which he did not do, or another way from that in which it was done, or any other added circumstance which is true, he in fact tells no lie, and is not perjured.

'II. There is good reason for a man's using these amphibologies, as often as it is necessary or useful, to protect himself, or his honour, or his property, or in order to perform any kind of virtuous act, so that the concealment of the truth is then counted expedient and desirable.

'III. Whoever has been promoted to a magistracy or public office by means of a recommendation, or by bribery, may take the oath required by the king's mandate, with mental restriction, without respecting the intention with which it is exacted, because he is not bound to confess a hidden crime.'<sup>1</sup>

It must have been a hard thing for the under-workers to bear, when the master-builder came in and struck down the crowning-stone, for the support of which they had erected their work. However, *ingenium res adversæ nudare solent*. 'Il Papa bianco' is no match for 'Il Papa nero;' and Jansenism has always been

<sup>1</sup> Quoted in Theol. Mor. 4. 152.

worsted in its conflicts with Jesuitism. The Moral-Theologians set to work, and it soon appeared that Innocent XI. might have spared his pains: he only gave one triumph more to casuistical ingenuity.

Given the problem, how to retain a certain practice, and at the same time to pay outward respect to a Papal decree forbidding it, the method to be adopted is the following:—Take the thing condemned, and divide it into two species, distinguished from each other by a distinction without a difference: assume that the Papal condemnation applies to either one of these species, but not to the other: range everything which you wish to do under the uncondemned head, whatever you have no temptation towards under the other: the result will be the conclusion desired. Thus, the Pope condemned Mental Restriction: immediately Mental Restriction is divided into two kinds,—Pure Mental Restriction, and Non-pure Mental Restriction. There is no moral difference between them; but the Papal condemnation is declared to be confined to the former, and so the old practice goes on as securely and merrily as ever. Morally speaking, the present system, dogmatically enunciated, differs in no essential point from that of Garnet, Tresham, and Blackwell.<sup>1</sup>

Very different is the doctrine of S. Augustine, to whose authority, as well as to the example of our Lord, we have seen that S. Alfonso had the hardihood to appeal. We will now offer our readers a specimen of the teaching of the great Doctor of Hippo on this point. It may be that Liguori will have done his cause little good by appealing to the uncompromising Moralist of the Early Church. He may,

---

<sup>1</sup> This general method of dealing with condemnations is well illustrated in the case of clerical hunting. The steps are as follows:—1. Clerical hunting is forbidden in general terms. 2. The Doctors understand in common, that this prohibition applies only to clamorous hunting, which takes place with a noise. 3. Neither does it apply to all clamorous hunting with a noise, but only to frequent clamorous hunting with a noise. 4. Neither does it apply to all frequent clamorous hunting with a noise, but only to frequent clamorous hunting with a noise, which is scandalous or very expensive. 5. Sporer, Molina, Cajetan, and Sa, say that merely for hunting, without any adjunct, a clergyman is not easily to be condemned of mortal sin. 6. Layman, Lessius, Sa, Valentia, &c. think that such hunting may be altogether blameless, if it is rare and moderate, or from necessity or for exercise. 7. A modern author, who has written a book called "Instructions for New Confessors," says that non-clamorous hunting for the sake of honest recreation is perfectly allowable, and that, canonically, clamorous hunting is not, according to the more common opinion, a mortal sin, except with the adjuncts of contempt or contumacy. Monks are forbidden clamorous hunting more strictly. They are only allowed, without grave sin, to go out two or three times a-year, in case they can do so without giving scandal, or making a great noise.—(Theol. Mor. 4. 606. Hom. Ap. 10. 72.)

perhaps, serve to point out that Rome admits of development in morals as well as in doctrine: that as what was once rejected as false is accepted as true after the decree of a Pope; so what was rejected as immorality by S. Augustine has been made moral by the decision of the casuists. 'How do you manage,' asks Pascal, 'when the Fathers of the Church happen to differ from any of your casuists?' 'The Fathers,' is the reply, 'were good enough for the morality of their own times, but they lived too far back for that of the present age, which is no longer regulated by them but by the modern casuists. . . . At their advent S. Augustine, S. Chrysostom, S. Ambrose, S. Jerome, and all the rest, so far as morals are concerned, disappeared from the stage.'

The treatise of S. Augustine, to which reference was made, is that which he wrote against Lying. We will now shortly draw out the principles there laid down. We shall feel like a man who has left behind him the fogs and malaria of a reeking morass, and risen to the healthy atmosphere of mountain scenery. S. Augustine has written two books on the subject of Lying, and has many passages on the same subject interspersed amidst his voluminous writings. It is observable that he nowhere makes a distinction between lying and equivocating. Equivocating is in his estimation lying, and the same definition includes Amphibology and Mendacity. 'The double heart' is, according to his teaching, the source of the accursed thing, and any man 'who has one thing in his mind, and enunciates another by words or any sorts of signs,' is guilty of the sin. Word-jugglery is a thing unknown to him, for the sage of Hippo was too wise to be deceived himself, and too honest to deceive others by such a transparent fallacy as that which lies at the bottom of the justification of equivocation. What is the use of a word? To represent to others a conception existing in our mind. If, then, the word which we use represents to the person to whom we speak, not the conception which we have in our mind, but something else, the assertion involved in the proposition containing that word is really two assertions. Thus, in the case given above, 'the heir (air) was present,' is of course two assertions, one materially true, the other materially false: again, the proposition, 'The moon is light,' contains two assertions, one materially true, viz. 'the moon is not obscured,' the other materially false, viz. 'the moon is deficient in weight,' and so every proposition with an ambiguous word contains really two assertions. Now the fact of these assertions being *materially* both true, or both false, or, as is generally the case, one true and the other false, is not of the slightest value with regard to the moral act of the person speaking. If we persist in making

use of a proposition thus containing two assertions, one of which is true, viz. that which the words signify according to our acceptation, and the other false, viz. that which we know the words signify in our neighbour's acceptation, we are simply and absolutely guilty of moral falsehood. It is not to be wondered at, then, that in S. Augustine's writings no distinction is drawn between equivocating and lying, because equivocating and lying are morally identical.

The following passage will show how clearly his philosophic mind saw that moral truthfulness in the speaker did not depend upon the material truth or falsehood of the thing spoken. It is not directly upon equivocation, but upon a kindred kind of lying:—

‘A man is deceived when he thinks what he says to be true, and it is really false: a man lies, when he thinks something to be false and says it as though true, *whether it be really true or false*. Mark the addition which I have made. Whether it be really true or false, yet, if a man thinks it false and asserts it as true, he lies, *for he is aiming to deceive*. What good is it to him, that it is true? He thinks it false, and says it is as though it were true. True it is *in itself*, what he says, *in itself* it is true: *to him* it is false. What he is conscious of and what he speaks are not the same: he thinks within himself that one thing is true, and utters another as though it were true. *His heart is double, not single, he does not bring out what he has there*. The double heart has long since been reprov'd, “Deceitful lips . . . dissemble in their double heart.” Ps. xii. 2. What is deceit? When one thing is pretended and another done. Deceitful lips are when the heart is not single.’—*Serm.* 133. vol. v. p. 739.

In his books *De Mendacio* and *Contra Mendacium*, S. Augustine enumerates eight sorts of lying. Every one he rejects uncompromisingly. He denies that we may at any time be guilty of moral falsehood under whatever temptation we may be. The sin of the tongue in violating veracity is as great, he says, as the sin of the hand in theft or in murder, or, at least, we are no more justified in committing the former than the latter. He discusses all the examples of apparent falsehood in the Old and New Testaments, to which those who had a theory of lying appealed in his days as they do now, and concludes that ‘for the examples which are brought forward out of the Holy Scriptures, either they are not falsehoods, but are supposed to be such by not being understood; or, if they are falsehoods, they are not proposed as objects of imitation.’ He does not shrink from meeting difficult cases. He puts the very same case which we have before had with respect to S. Francis of Assisi. The bright thought of pointing down his sleeve had not, however, then arisen, and not even S. Augustine's sagacity could suggest it. Leaving that ingenious device to be recommended by saints of a more modern date, he solves the question in this



fashion. Suppose that a man flies to a spot for refuge, and you see where he conceals himself; you are questioned about him: are you to lie? Your answer should be, 'I will not betray, and I will not lie.' But the question may be put in such a form that mere silence, or saying that you would not tell, might betray him, and you could avert his danger by a falsehood. Your answer should be, 'I know where he is, but I will never show the place;' for if you refuse to answer whether or no he is in a certain place, you will rouse certain suspicion with respect to that place; but by prefacing your answer by a confession of your knowledge of his whereabouts, you may turn away the attention of the inquirer from any particular spot, and make him press you to discover the object of his search; and if for your fidelity and humanity you have to endure suffering, your conduct will be not only free from blame but praiseworthy. This is the substance of his solution of the difficulty.<sup>1</sup>

Now we can perfectly conceive the possibility of a case arising in which the two virtues of veracity and charity might so clash as to make it, at least, pardonable to deflect somewhat from the rigid observance of the former. S. Augustine does not admit such a possibility. 'You must not destroy your own soul,' he replies, 'for any supposed good of your neighbour, spiritual or temporal.' And yet it is to S. Augustine that Liguori refers in justification of his Equivocation and non-pure Mental Reservation, which, according to S. Augustine's definition, are merely forms of expressing a Lie.

With like hardihood S. Augustine is quoted in the Breviary as addressing the Blessed Virgin with the title of 'The only Hope of Sinners,' although the Sermon in which such words occur is known by every one of moderate attainments to be spurious, and is excluded from S. Augustine's works by the Benedictine editors. The value of truth, for truth's sake, is a thing apparently unappreciated and inappreciable by the Romish theological mind, in so far as it is Romish or distinct from Catholic. In one passage in this very treatise S. Augustine seems to have had before his eyes, by a prescient anticipation, the race of Salamanca doctors, Bonacinas, Escobars, and Liguoris. 'And there are among them learned men,' he cries, 'who actually lay down rules and fix limits when a man ought, and when he ought not, to commit perjury! O fountains of tears, where are ye? Where shall we go? Where shall we hide ourselves from the wrath of Truth, if we not only do not guard against lies, but dare over and above to teach perjury?' And here is a warning which may not be amiss at present in England.

---

<sup>1</sup> De Mendacio, cap. 13.

'This, again, is a most miserable thing: even those who are just become our converts don't know how to believe us; for, on their suspecting that we are lying to them about the Catholic dogmas too, so as to be concealing something or other which we think true, you would be sure to say, "I acted in that way, then, in order to catch you;" but what will you answer when the other says, "And how am I to tell that you are not doing the same now in order not to be caught by me?" Will any one be persuaded that a man who will lie in order to catch another, will not lie in order not to be caught himself? See you not the tendency of this pestilential thing? It tends to make every one a justifiable object of suspicion to every one else, us to them, they to us, brother to brother. And so while the Faith is taught by falsehood, the result is rather that we have no faith in any one.'—*Conf. Mend.* cap. 4.

In short, we are reduced to that pleasant state of war and fencing on the plea of which Rome defends her Equivocation and non-pure Mental Reservation.

Thus we see that there is some difference between the *Theory of Truthfulness* held by Modern Rome and that held by the Ancient Church. We must now compare the teaching of England's Moral Theologians on the same point. Bishop Sanderson, whose works we are glad to learn are about to be re-issued from the University Press,<sup>1</sup> has left behind him Lectures delivered in Oxford on the Obligation of Conscience, and on the Obligation of Oaths. We will make a few extracts from the latter of these works, in order to show the difference in principle between the teaching of a manly straightforward English mind, nurtured in the University of Oxford, in the bosom of England's Church, and that of a warped, however devout, Italian conscience, such as Liguori's, whom Rome has honoured with her beatification and canonization.

'An oath,' says Bishop Sanderson, 'is a religious act in which God is called to witness for the confirmation of some matter in doubt.' The main division of oaths is into assertory and promissory; the first having respect to what is present or past, the second to what is future. We take our extracts from an old translation of the year 1655, which professes to have been made by the special command of King Charles I. and revised by the royal hand.<sup>2</sup>

'Whosoever sweareth, obligeth himself *ipso facto*, to manifest truth in that which he is about to say, whether it be in a matter past or present,

<sup>1</sup> This has now taken place. They have been collected and edited under the careful and learned superintendence of the Rev. W. Jacobson, D.D. Canon of Christ Church, and Regius Professor of Divinity.

<sup>2</sup> It is more than probable that this translation was not only revised, but also made by King Charles himself.—See the Preface to Dr. Jacobson's Edition of Bishop Sanderson's Works, p. x.

by an assertory, or, in a future matter, by a promissory oath. And hitherto this obligation is alike common to both kinds, so that if in either of them the words of the party swearing do not agree with his mind, he becometh guilty of the breach of his duty, and thence also, by a necessary consequence, obnoxious unto punishment. But in the promissory oath, besides this obligation, which falls upon the conscience of the party swearing, and is common to it, and the assertory *quatenus juramentum*, there is another further obligation proper and peculiar to it, *quatenus promissorium*, which falls upon the matter of the oath: by virtue whereof the promissory party swearing is bound not only in present to intend to do that which he sweareth, *that his words may agree with his mind*, but also to endeavour, for the future, as much as in him lieth, to fulfil that which he hath sworn, *that his deeds may agree with his words*; that is, he obligeth himself not only barely to promise that which he really intendeth, but also further obligeth himself to perform all that which he hath promised by oath.'—P. 30.

Again :—

'Whosoever bindeth himself to the performance of anything by so sacred a bond, is wholly bound by the religion of his oath, both in his mind seriously to intend, and as far as lieth in his power willingly to endeavour that he may faithfully perform whatsoever he hath promised, *without fraud, double-dealing, or simulation*. . . .As to the guilt of perjury, especially at the bar of conscience, it matters not much which way an oath be broken, openly or covertly, *that being a symptom of a profane, this, of a deceitful heart*; both which, *except fraud be worthy of a greater hatred*, are equally abominable unto the most holy God, who loveth the single in heart and truth in the inward man. . . .Men rest secure, absolving themselves from all guilt and fear of perjury, and think they have excellently well provided for themselves and their consciences, if, during the act of swearing, they can make any shift to defend themselves, either, as the Jesuits do, with some equivocation or mental reservation; or by forcing upon the words some subtle and unnatural interpretation; or if, after they have sworn, they can find some loophole or artificial evasion, whereby such art may be used with the oath that, the words remaining, the sense may be eluded with some sophism, and the strength utterly lost. The ancient Christians did not acknowledge this kind of theology, nor the sounder heathens this moral philosophy. Far otherwise Augustine said, "They are perjured who, preserving the words, deceive the expectation of those to whom they have sworn."—Pp. 37, 40.

Further :—

'Be it so, that a form of speech appears not by the words themselves, nor by the common estimation of men to be an oath; nevertheless, if a man using such a form, either through mistake think himself to have sworn, or *through some deceitful intention would be thought to have sworn*, that form, though it be not really and in itself an oath, will have nevertheless, as to that man, the full obligations of an oath to all effects; and if he violate his faith so given, he is guilty at the bar of conscience, not only of falsehood, but of perjury. . . .Deceitfulness in the will doth not excuse from obligations, because it is most just that an impious and fraudulent man should fall into the pit which he digged for his neighbour, and that his feet should be caught in the snare which he set for another.'—P. 176.

These extracts will show the spirit of Bishop Sanderson's Treatise on Oaths.

We will now request our readers to recal to mind Liguori's doctrine of Amphibology. There are three kinds of equivocation, it will be remembered; equivocation by means of an ambiguous word—equivocation by means of a double-edged sentence—equivocation by means of such a phrase as *I say, No*. All these kinds of equivocation are justifiable and right when employed for a good reason, and all of them may be used with the sanction of an oath. Now let us compare the Bishop of the English Church with Rome's Bishop:—

'The second case is of an oath when the words, according to their common signification, are clear enough, but the party swearing, having no will to bind himself in that sense, intendeth another, wherof the words by reason of some ambiguity are not altogether incapable, and industriously concealeth his meaning in such sort as that the auditors understand one thing, he another. This is that *verbal equivocation* which, amongst some other casuists and scholastics, the Jesuits especially maintain and practise. . . . As if a Jesuit apprehended should swear that he was a *smith*, meaning that his name was *Smith*, or an apprentice, commanded to tell where his master is, should swear that he *died* a month ago, meaning that he then *died* stockings. . . . The Jesuits so vigorously defend this equivocation, that J. Molanus, Professor at Louvain, justifieth the murder of John Huss, perpetrated against the public faith engaged unto him for his safe-conduct, for this reason, that the conduct undertook for *his safe coming*, not for the safety of *his return*. And now let Jesuits confidently complain of the great injuries done them, whilst we say that they hold faith not to be kept with heretics; for if this be to keep faith, they need not much trouble themselves, with whomsoever it is contracted, whether it ought to be kept or broken. . . . *Our result is, that the party swearing after this manner both sinneth in his equivocal oath, and is, notwithstanding that tacit equivocation, bound in conscience unto the performance of his promise in that sense which the words yield of themselves, and are, without constraint, apt to beget upon the minds of others. Unless he act accordingly, he is not guiltless of perjury.*'—P. 192.

That he may not appear only to make assertions, or to declaim, he adds his reasons:—

'First, an oath, as we have laid down, ought to be most simply and effectually understood, unto which simplicity this artifice of industrious ambiguity is repugnant. 2. It is a great profanation of the name of God to invoke Him, as witness and searcher of hearts, to attest the truth of words which agree not with the heart of the party swearing; for what were this, if not, as far as lieth in man's power, to make God, who can neither deceive nor be deceived, an impostor and patron of base dissimulation? 3. Equivocation is contrary to the very institution and nature of an oath, whose chief use is to be *an end of strife and controversy*, and to give as certain security in uncertain things as human nature is able to afford, it being *expediendarum litum maximum remedium*. But that certainty which we seek in an oath is lost in equivocation, for what certainty can there be in his answer whose meaning is uncertainty? Nor are controversies thus ended, but aggravated. 4. The party so swearing deludeth his neighbour and knowingly deceiveth, contrary to the precept, *Ne jurat in dolo*, and to the ancient form, *Si sciens fallo*.'—P. 195.

Rome's canonized Bishop teaches, as we have seen, that non-

pure mental reservation is allowable in assertions and in oaths. Contrast England's Bishop :—

‘The third case allied to this is that of Mental Reservation, which the Jesuits defend with the same reasons, and define with the same qualifications, as verbal equivocation. For as, in that, by wresting the words pronounced into another sense, so, in this, by some addition not pronounced but conceived in the mind, the party swearing eludeth the interrogatory. So they say a *Priest*, if he be examined by an heretical magistrate whether he be a *Priest*, may answer that he is no *Priest*, meaning of *Bacchus*, or *Apollo*. And an adulterous wife, if she be questioned of adultery by her jealous husband, may swear unto him that she committed not adultery; meaning, not to the end to tell him. The like they hold in promissory oaths; that a traveller, to save his life, may swear to give money to a thief, though he never intend it, provided that when he sware, “I will give thee so much,” he understood, *if I owe it thee*, or *if thou demand it before the magistrate*. But as this mental reservation is built on the same sand with verbal equivocation, so is it destroyed at the same dash; for it rooteth all faith and assurance out of men, makes God an impostor, is deceitful unto our neighbour, perverteth the use and end of oaths, setteth open a great gate to all kinds of lies and perjuries, and is so much worse than equivocation as more difficult to be prevented. For equivocation foreseen or suspected may be prevented by such diligent explication of the words as may leave no loophole of ambiguity. But no human art or providence, if men will be juggling, can prevent this reservation. Jesuits and Priests, reserving unto themselves the liberty to reserve anything, are not afraid, with a serious brow, to take our oath of allegiance, though penned with such accuracy of words as leaveth no hold for cavil nor way of escape. Yet that very clause where, in express words, they promise that they will faithfully observe all that has gone before *according unto the tenour of the words pronounced by them, and according to the plain and natural sense and true intent of these words, without any equivocation or mental reservation whatsoever*, they understand at the same time with this reservation—to wit, that I will tell you.’—P. 198.

The two methods of dealing with a promissory oath made to a robber, are characteristic of the two theologians. ‘You need not pay,’ says Liguori, ‘if you have used an equivocation in making your promise; but if you have forgotten to do so (*si oblitus uti æquivocatione jurásti*), you must.’<sup>1</sup> ‘You must pay,’ says Sanderson, ‘because you have made a contract, and derived benefit from it, and called God to witness to your good faith.’

A few more contrasts will be worth selecting :—

‘Titius, who promised to marry Berta when she was rich, is not bound to stand to his oath when she has fallen into poverty; having sworn to her

<sup>1</sup> Theol. Mor. iv. 174. This is stricter than some teaching which has been propounded. Pascal gives us another step. ‘Our doctors,’ replied the Jesuit, ‘have taught for the benefit of those who might not be expert in the use of these reservations, that no more is required of them, to avoid lying, than simply to say that they have not done what they have done, provided they have in general the intention of giving to their language the sense which an able man would give to it.’—Letter IX.

when in good health, he is not bound to her when she has fallen into infirmity; having sworn to her in good repute, he is not bound to her in ill repute: . . . for the promise does not hold in that case.' 'In case Caius should swear to take the widow of Titius to wife, believing her, though poor, to be rich, he must take her; this error rendereth not the oath invalid, and the like is to be said of oaths of the like kind.'—*Theol. Mor.* 4. 180. *Obl. of Oaths*, p. 134.

We need not say that the first case is Liguori's, the second Sanderson's.

Cardinal Cajetan and Bishop Liguori declare, as we have seen, that there is no obligation to keep an oath which has been made about an indifferent thing. Bishop Sanderson teaches that it is wrong to take such an oath, but that when it has been taken it is binding. He gives his reasons, the chief of which is, that whether a thing is weighty or trivial makes no difference with respect to truth and falsehood; and in spite of the opinion of the Romish casuists, which he supposes to have been held mainly for the purpose of supporting the distinction of mortal and venial sins, 'a leaven with which they have foully 'corrupted the whole lump of moral theology,' concludes that 'he ought not so to have sworn, but, having sworn, he ought to 'fulfil his oath.'

It is no grave sin, teaches Liguori, to use such expressions as *By God!* *By Christ!* *I will kill you!* These principles are carried out in practice. The *Mon Dieu* of the Frenchman, the *Jesus* of the Spaniard, are proverbial; the Italian expletives are not less common, though not so much confined to one species. When remonstrated with, the swearers are always ready with the excuse that they were speaking inconsiderately, and without deliberation: this is the very excuse given in Liguori's *Moral Theology*. Profane swearing is a habit to which Englishmen also, to our shame, are addicted; but mark the difference in the teaching of England's *Moral Theology* :—

'The cause whence such kinds of oaths are derived,' says Sanderson, 'is either a vicious habit, contracted by a long and pernicious custom, which habit is the fruit and mark of a profane if not atheistical heart, or some exorbitant perturbation of the mind, as excessive anger, intemperate joy, with which, whilst the mind boils, the mouth foameth to the dishonour of God.' . . . 'Tearing the sacred and dreadful name of God with profane lips, and oaths, both without fear and punishment; . . . but I would not be carried away with the tide of grief and indignation. . . . 'A man, through some transportation of anger, love, or other passion of a perturbed mind, or through delight in sin and impious custom of swearing rashly and without judgment, besprinkleth his discourse with oaths. Which vice, in respect both of the heaviness and frequency of the sin, I could wish were more often and vehemently reprehended in sermons, as I see it was diligently and sharply done in his time by the most devout man John Chrysostom, lest, by the just judgment of God, "through oaths the earth mourns," and

the Lord swear in his wrath that he will not hold them guiltless who so condemn his dreadful name that they fear not to invoke his most sacred Majesty as witness.'—Pp. 103, 130, 260.

One more contrast. We have seen that Liguori gives an almost unlimited power of getting rid of the obligation of oaths by means of Dispensations, Commutations, Irritations, Cessations, and Relaxations. Sanderson, allowing the fitness of Irritation, Cessation, and Relaxation, and admitting the propriety of Dispensation, *in the sense* of an exemption from a law by favour of the lawgiver, yet, *so far as oaths are concerned*, totally rejects both Dispensation and Commutation. To dispense with oaths, he argues, is impossible; *because* the obligation of an oath is of Divine natural law, and God has granted to none the power of dispensing with the law of nature, of which He alone is the Author—*because* the existence of a dispensing power destroys that security which is the chief end of oaths, 'for he unto whom 'the oath is made can have no assurance, if the promise of the 'party swearing may be dispensed with, that it should ever be 'fulfilled'—*because* the oath gives a right to the person to whom it is sworn, and therefore its dispensation must be either needless or unreasonable; 'needless and superfluous if it be done 'with his consent to whom the oath was made, if against it, unreasonable and unjust—*because* obligation is entered into towards God as well as towards men; and even supposing the last could be taken away, 'yet would it be insupportable presumption that 'dust and ashes should arrogate unto itself authority to take 'away the obligation whereby man is bound to God as witness 'and revenger'—*because* human dispensation is a matter only of external judicature, whereas 'he that claimeth to dispense with 'oaths, assumeth unto himself Divine power, and seateth himself 'on the bench of internal judicature.'

'It is worthy of consideration,' he continues, 'first, that either the cause is manifestly just, why a thing promised by oath ought not to be performed (as if it be impossible, dishonest, or any way unlawful), and then the party swearing may of his own authority, nay ought, without waiting for dispensation from the Pope, or any other, to retract the thing sworn; for when there is no obligation, the conscience is free and needeth no dispensation; or secondly, that no just cause appeareth why the oath should not be kept, and then it must be kept, and he who either asketh or granteth dispensation, sinneth, because the obligation, which neither can nor may be removed by human power, remaineth; or lastly, that the thing is doubtful, and it appeareth not, by reason of difficulties on both sides, whether the party swearing be bound to the performance of his promise, and then it will be profitable to consult with pious and prudent men, skilful in the Divine law, and to resolve with their advice what is most expedient. In which matter, seeing knowledge is more requisite than power, I understand not why the Pope should be fitter than another man, unless it were certain that the Pope excelled other men in prudence and piety.'—P. 239.

He does not hesitate in his conclusion :—

‘Wherefore I conclude that neither pope, nor prince, nor synod, nor senate, nor ecclesiastical nor secular superior, hath any right to dispense with leagues, contracts, oaths, or to absolve any man from that bond wherein, before the dispensation granted, he was engaged.’—P. 241.

We have compared the systems of modern Rome, of primitive antiquity, and of reformed England, with respect to truth and falsehood, good faith and bad faith. There is one other authority to which we must refer, though only in a few words. Our review would not be complete without a glance at the *Theory of Truthfulness*, as laid down by the more than Moral Theologians, Moses, David, Solomon, the Prophets, and the Apostles. Thus speak Moses and Solomon :—

‘If a man vow a vow unto the Lord, or swear an oath to bind his soul with a bond, he shall not break his word, he shall do according to all that proceedeth out of his mouth.’ ‘When thou shalt vow a vow unto the Lord thy God, thou shalt not slack to pay it, for the Lord thy God will surely require it of thee, and it would be sin in thee. But if thou shalt forbear to vow, it shall be no sin unto thee. That which is gone out of thy lips thou shalt keep and perform, even a freewill offering, according as thou hast vowed unto the Lord thy God, which thou hast promised with thy mouth.’ ‘Thou shalt not take the name of the Lord thy God in vain.’ ‘When thou vowest a vow unto God defer not to pay it, for he hath no pleasure in fools: pay that which thou hast vowed. Better is it that thou shouldst not vow than that thou shouldst vow and not pay.’—*Numb.* xxx. 2; *Deut.* xxiii. 21; *Exod.* xx. 7; *Ecc.* v. 4.

And so David :—

‘Thou shalt destroy them that speak leasing. The Lord will abhor both the bloodthirsty and deceitful man.’ ‘For there is no faithfulness in their mouth.’ ‘Who shall dwell in thy holy hill? . . . He that sweareth to his own hurt and changeth not . . . he that hath clean hands and a pure heart, who hath not lifted up his soul unto vanity, nor sworn deceitfully.’ ‘Deliver my soul, O Lord, from lying lips and a deceitful tongue.’—*Ps.* v. 6. 9; xv. 4; cxx. 2.

Jeremiah depicts the state of war and fencing to which we may be reduced, and Zechariah the means of escaping from it :—

‘Oh that I had in the wilderness a lodging-place of wayfaring men ;  
That I might leave my people and go from them !  
For they be all adulterers, an assembly of treacherous men ;  
And they bend their tongues like bows, for lies ;  
But they are not valiant for the truth upon the earth ;  
For they proceed from evil to evil, and they know not me, saith the Lord.  
Take ye heed every one of his neighbour, and trust ye not in any brother :  
For every brother will utterly supplant, and every neighbour will walk with slanders.



And they will deceive every one his neighbour, and will not speak the truth :

They have taught their tongue to speak lies and weary themselves to commit iniquity.

Their tongue is as an arrow shot out : it speaketh deceit :

One speaketh peaceably to his neighbour with his mouth, but in his heart he layeth wait for him.'—*Jer.* ix. 2.

'These are the things that ye shall do :

Speak ye every man the truth to his neighbour :

Execute the judgment of truth and peace in your gates :

And let none of you imagine evil in your hearts against another ;

And love no false oaths, for all these are things that I hate, saith the Lord.'—*Zeck.* viii. 16.

S. Paul warns, and S. John threatens :—

'Wherefore, putting away lying, speak every man truth with his neighbour.'—*Eph.* iv. 25.

'But the fearful, and unbelieving, and the abominable, and murderers and sorcerers, and idolaters, and *all liars*, shall have their part in the lake which burneth with fire and brimstone.'—*Rev.* xxi. 8.

It is not from want of other matter, as we stated at the beginning, that we have confined ourselves to one subject. Liguori is prolific in material. For example, we might have examined his Theory of Theft, according to which we find that no sin of theft can be mortal unless a certain quantity is stolen ; that to steal 3s. or 4s. from a very opulent merchant is a mortal sin, from a very rich nobleman venial—that a wife may support her previous children out of her husband's goods against his will, and spend anything under the twentieth of his income on alms and gifts—that a nobleman in extreme distress may steal if he is ashamed to beg—that a servant may compensate himself by 'taking' if his salary is too small—that a rich man's son may steal 12s. from his father at any time without grave sin—that a monk's sin in stealing anything under 16s. from his monastery is only venial—and that a great nobleman's son commits only a venial sin whenever he steals from his father anything under or equal to 10l.

We might have pointed out the omissions as well as the commissions with which the book is chargeable. We might have shown the doctrinal corruption interspersed and taken for granted throughout. We might have submitted to our readers' scorn such ludicrous sentiments as Azorius's and Bonacina's, that a mother may wish for her daughter's death if the latter is too ugly to get married.<sup>1</sup> We might have held up to the just indignation of all Christians, and all men, the detestable arguments

<sup>1</sup> Hom. Apost. iii. 53.

(supported by the authority of Bonacina, the Salamanca doctors, Barbosa, Suarez, Hurtado, Henriquez, and the *common* voice of the casuists in opposition to Lopez and Farinaccius) to prove that the penalty of deprivation annexed to the commission of a sin too heinous to be named, is not incurred by Romish Priests unless they are in the constant habit of the sin: *requiritur ut actus sodomice sit frequentatus sive usu continuatus, ut ait Navarrus; hoc enim importat verbum, exercentes, in Bullâ expressum*:<sup>1</sup> whence Liguori draws the conclusion that, so far as penalties are concerned, 'a man who commits the act once or twice is excused.'

But we have selected the one subject of truth and lying because it lies at the foundation of all morality. When once the virtue of veracity is undermined, the whole character is ruined, and nothing can be the consequence but blindness of the moral eye and confusion of moral sentiment. From this blindness and confusion arises an adoption of principles, and specific application of those principles, in which we can only hesitate whether the shocking or the grotesque is the most prevailing element; for that which is morally wicked is always intellectually ludicrous, if we are at liberty to look at it in the latter light.

Untruthfulness is a phenomenon which is found in a remarkable degree in all the southern nations of Europe, and, we fear it must be added in Ireland, while the northern nations are in general comparatively free from it. Thoughtful minds have often sought for an adequate hypothesis by which to account for this phenomenon. We believe that our pages will have suggested one to some minds, and confirmed it to others. When S. Philumenism is put in the place of manly faith<sup>2</sup>—when all duties are merged in the one duty called by the specious name of advancing religion—when men and women put the entire direction of their souls out of their own hands into the absolute control of others, in spite of the nature which God has given them—when those who have the control of the consciences of others are supplied (and supplied by an authority which they hold infallible) with a system of moral principles and rules in which truth is flagrantly violated, good faith sapped, and the obligation of oaths reduced to a trick of words, with which a hair-splitting sophist may play like counters—what can we expect but the very phenomenon which we find existing? The lock and the key answer to each other admirably.

English Romanists, we are aware, profess indignation when

<sup>1</sup> Theol. Mor. iv. 471.

<sup>2</sup> See 'The Practical Working of the Church of Spain,' p. 353; and the Rev. Dr. Scott's 'Twelve Sermons, Appendix.'

the charge of bad faith is brought against them. That they are saved, to a great degree, from the blight which has fallen on their co-religionists, by means of the counteracting influences amongst which they live, we readily allow. Still, even in England, things which we cannot forget have forced themselves to the light. The Gawthorn case, the Carré case, the De Col case, and many others, could, we venture to assert, have occurred only amongst Romanists. If, however, they are really anxious to prove their good faith in the face of their fellow-countrymen, let them exert themselves to get this work of S. Alfonso de' Liguori, with its lying Theory of Truthfulness, condemned by the rulers of their Church. Until this is done, we must be pardoned if we believe their word—because they are Christians—because they are men of honour—because they are Englishmen; not because they are—but in spite of their being—Romanists.

## APPENDIX.

### THE RAMBLER, AND THE DUBLIN REVIEW.

---

Two replies to the above article have appeared: one in the 'Rambler,' of April, 1854, and the other in the 'Dublin Review,' of January, 1855. The first is short, readable, irascible, and abusive; the last long, unreadable, temperate, and dreary. We will answer them separately.

The object of the Rambler seems to be rather to relieve his own mind, than to argue and by argument to work conviction in his reader. The article was written, we suppose, for those who already sympathized with the writer, and were not, therefore, likely to look very closely to the meaning of words, the truth of statements, and the force of reasoning, with which they already agreed. In ourselves it has created a kindly feeling of amusement, for there is a *bonhomme* in the midst of its abusive epithets, and a bravery in mis-statement, and an apparent disregard whether or no conclusions follow from premisses, which totally disarms indignation, and substitutes a smile for a remonstrance. For example, 'To the recklessness of a retained 'accuser he adds the dishonourable artifices of the crafty advocate.' (p. 310.) And why these hard words? Because we have quoted a passage from Pascal's Provincial Letters, and reviewed *A Treatise of Equivocation* in the same article with S. Alfonso. But the Rambler shall give his reasons in his own words. After the sentence which we have quoted, he continues:—

'He *professes* to charge Rome with immoral teaching on the ground that she has sanctioned the work of S. Alphonsus; but when he comes to details, he mixes up extracts from other writers, as authoritative exponents of Roman morality, to which no shadow of sanction was ever given, which were put forth from a source actually condemned by the Church, or even rest upon no alleged authority whatsoever. Of all the writers in the world, Pascal is selected as the expositor of Catholic doctrine. We might as reasonably fasten upon the *Record* newspaper as the expositor of the views of Dr. Pusey. An anonymous *Treatise on Equivocation*, some three hundred years old, but whose existence was only lately discovered, is freely quoted by way of proof of what the Catholic Church now authoritatively instructs her children to believe as the undoubted word of God; merely because certain phrases used

by the unknown casuist sound uglier in the British ear, than anything to be extracted from the works of the Saint. So, too, a story about S. Francis is detailed, confessedly "not found in Liguori," but (says our truth-seeking Reviewer) accepted by Roman controversialists as a faithful exponent of their views, and justified as such. What, we may well ask, has all this to do with S. Alphonsus Liguori, or with the casuistry authorised by the Church of Rome? or what right has Garnet to appear in any such connection? The artifice is transparent. The object is to confer an appearance of *learning* on the writer's dissertations, and to convince the hesitating Protestant reader, that Catholic theologians are one and all a band of deceivers—traitors to God and foes to men. To this incidental illustration of the wickedness of Catholic casuistry, we shall therefore allude no further. Whether the authors of the propositions here attributed to them were right or wrong, neither we nor any other Catholics are bound by them. The principles, moreover, on which they must be judged, are identical with those on which S. Alphonsus bases his opinions, and in handling the latter they will be in reality fully discussed.'—p. 311.

First for Pascal: the Equivocation, or Mental Restriction, by which it is stated that we have 'selected Pascal as the expositor 'of Catholic doctrine,' and so 'charged Rome with immoral 'teaching,' for extracts 'which were put forth from a source 'actually condemned by the Church,' is delicious. We *have* quoted Pascal (p. 7,) but it has been as the *exposer*, not as the *exponent* of Roman teaching. Whether *expositor* is an equivocal word which bears both meanings, and the Rambler used it in one sense, meaning his readers to understand it in the other, we don't know. Certainly to charge Rome with having adopted the high, the pure, the lofty, the severe morality of Pascal and the Jansenists as her own, or to 'mix up extracts' from Pascal 'as authoritative exponents of Roman morality,' was a thing which we have neither done, nor should dream of doing. Our charge against Rome is, that she has deliberately adopted and sanctioned that system of morality, against which, in the name of Morality, Truth, and Righteousness, Pascal and Port-Royal struggled, prayed, preached, argued, and declaimed.

It is creditable, however, in the Rambler to have acknowledged, that there is as great a divergence between schools of theologians within the Church of Rome, as between 'the *Record* 'newspaper,' and 'Dr. Pusey.' We have known this, but it has been frequently denied.

Then for the 'anonymous treatise.' This is of course the writing 'to which no shadow of sanction was ever given.' That can hardly be said with truth, when the highest Roman Catholic authority then existing in the realm of England, gave it his Imprimatur, on the ground that it was 'very learned, truly pious, 'and Catholic . . . and therefore most worthy of being printed 'for the consolation of afflicted Catholics, and the instruction of 'all the pious.' (*Supr.* p. 31.) Then we are told 'that it is freely

‘quoted, by way of proof of what the Catholic Church *now* ‘authoritatively instructs her children to believe, as the undoubted word of God.’ By the Word of God *we* mean the Bible, and we never said that the Church of Rome taught her children to believe the ‘Treatise of Equivocation,’ like the Word of God. And further, we never quoted the said Treatise in proof of what the Roman Church *now* authoritatively teaches. On the contrary, we drew an elaborate comparison between the teaching of the seventeenth century and of the nineteenth century, as exhibited respectively in the Treatise and in S. Alfonso. (*Supr.* p. 36.)

‘The artifice is transparent.’ So transparent as to be no artifice at all. But the Rambler does not seem to be quite sure of the purpose of ‘the artifice;’ for first he says that it is to pass off what is not authorised as authorised; and then he says it is to confer an appearance of learning on the writer’s dissertation. Being unconscious of ‘the artifice,’ we are unable to give the Rambler the information which may set him right on this point. But ‘the principles,’ it seems, after all, on which these quotations ‘must be judged, are identical with those on which St. Alphonsus bases his opinions, and in handling the latter they ‘will be in reality fully discussed.’ Then why was the Remembrancer a reckless retained accuser, and a dishonourable crafty advocate, for comparing and considering in the same paper two systems of Truthfulness, which, according to the acknowledgment of the Rambler, are ‘identical’ in principle, and the handling of one of which necessarily involves ‘the full discussion’ of the other?

Again: there is a most amusing account of the doctrine of Probable Opinions. ‘Briefly stated, and *divested of technicalities*, it amounts to this . . . “Consult a friend or two on your ‘difficulty. Don’t go to a simpleton, or a prejudiced man, or a fanatic, or a man of paradoxes; but *go to one or two persons of integrity*, who have experience and good judgment, who will see ‘the thing in its clear light, unbiassed by any personal preferences, ‘and act without scruple on their advice,”’ &c. (p. 335.) We presume here that by the word *technicalities*, the Rambler means (by help of one of the modes of Equivocation, or of Mental Restriction) *the substantial characteristics* of the system. For only so are his words true. The doctrine of Probable Opinions, *divested of its substantial characteristics*, may be as he represents it; and this, perhaps, is what he meant by *divested of technicalities*. If not, the last sentence which we extracted should run thus, instead of as the Rambler has written it, ‘Go to *twenty or thirty Moral Theologians, or a book containing their opinions, ‘and act without scruple on the advice of any one of them, that*

'may be most convenient to you.' And this gives a somewhat different complexion to the matter.

There are other passages about '*the devices* by which truth may be lawfully concealed' (p. 325,) and '*the Italian mode*' of Equivocation, '*which has little attraction for the English mind,*' and '*the vast variety of Equivocations*' which are '*theoretically permitted by Catholic theologians*' (p. 332,) and the sad loss sustained by Anglicanism in '*possessing no code of definitions on the subject of lying and Equivocation*' (p. 325,) which it would be interesting to examine if we had space.

Where the Rambler argues, his argument is curious. Being unable to deny that our extracts were genuine, or to point out any unfairness in the manner in which they are quoted,<sup>1</sup> there

---

<sup>1</sup> The only attempt of this kind which is made, is so silly that we have not thought it worth while to alter the passage on which the Reviewer has fastened, as containing an 'equivocation of the most startling audacity,' 'dishonourable,' 'unjustifiable,' 'wilful deception,' and thereupon applied to us the titles 'Scribes,' 'Pharisees,' 'hypocrites,' &c., and all the other epithets which the *accusatoria necessitas* furnishes. It is the passage at the foot of p. 5. The purpose of the extract is to give, in Liguori's words, an explanation of what Mental Restriction is, and the list of the casuists who approve of it. Accordingly we extracted only such parts as were conducive to this purpose, omitting, and at the same time marking that we had omitted, two passages, containing respectively Innocent XIth's. three propositions, and an assertion that Mental Reservation was employed by our Lord in S. Matt. xxiv. 36. 'Of that day and hour knoweth no man, neither the angels, nor the Son, but the Father.' This assertion is totally untrue, but it would have occupied several pages to have given the true meaning of that difficult text, involving a discussion of His two Natures, which would have been foreign to our purpose, and all that we were then doing was 'stating the principles of Mental Restriction,' and showing what it was according to the showing of its advocates. We, therefore, did not meddle with the exposition of that text; but, instead, placed the recognized marks of having omitted one or more sentences. Hereupon the Rambler declares that we made 'a distinct assertion that we had quoted the whole passage,' whereas we made no such assertion; but, on the contrary, made it clear in the conventional manner that we had only quoted a part of it. And he triumphantly suggests, that the reason why we did so, was that S. Matt. xxiv. 36 undeniably justifies Liguori's doctrine. Well! let us see if it does. Liguori maintains that after the words *nor the Son*, our Lord said to Himself, by non-pure Mental Restriction, *so as to tell you*. As we have said, it would take too long to discuss in what relation or character it was that the Son was ignorant of that Day. Here we will only show that the case does not help S. Alfonso and his apologists. The Rambler says, 'It is impossible to deny that when our Blessed Lord said, "Of that day and hour knoweth no man, neither the angels in heaven, nor the Son, but the Father," He used an equivocation which the disciples were certain not to penetrate.' Liguori does not bring the words forward for the sake of proving *Equivocation*, nor is he 'arguing in favour of *Equivocation*.' He brings them forward in order to justify *Mental Restriction*. It is a mistake, then, in the Rambler to have employed the word *Equivocation* instead of *Mental Restriction*—a mistake, indeed, which runs through the article. Then, supposing that the answer justifies any kind of Mental Restriction, which of the two species does it justify? The Rambler answers, 'It is impossible to deny that He used an equivocation, which the disciples were certain not to penetrate.' Then it was not a non-pure Mental Restriction, but a pure Mental Restriction which was employed, and this is condemned by Innocent XI. and forbidden by Liguori. Innocent's condemnation of non-pure Mental Restriction has entirely cut away the argument which a bold dealing with the text was previously able to constitute. It was not

were but two courses open to him, either to deny the authority of the book, or to justify its teaching. The dilemma was unpleasant, and we can feel for the Apologist's difficulty in making up his mind what to do. But we were scarcely prepared for what he does do. He takes both courses: first, he sacrifices S. Alfonso for the sake of truthfulness, and then he sacrifices truthfulness for the sake of S. Alfonso; thereby displaying a spirit of self-immolation with which we had not expected him to be animated. 'We refuse *in limine*,' says the Rambler, 'to be held responsible, as Catholics, for any of the private opinions expressed by S. Alphonsus.'<sup>1</sup> This would be intelligible ground if it were not that (1) the Rambler does make himself responsible for his opinions, and (2) every Roman Catholic *must* be responsible for them. He reaps the benefits, such as they are, of having an approved system; and he must not hope to avoid its disadvantages. No Roman Catholic dares say that any one of the instances of untruthfulness, or (for example) the doctrine of seduction, taught in the passages which we have extracted, is immoral: he must maintain that there is nothing in them contrary to good morals. Consequently, it is idle for him to cry out that he won't 'be held responsible.' He is, and must be responsible; and to urge that he may hold other opinions as well, is simply irrelevant. If Dr. Newman should dare to condemn as immoral the opinion that a man may answer *I say, No*, to a question put to him, meaning in his own mind no more than that he is using the word *No*, but intending his auditor to understand that he has denied his question,—Dr. Newman would be so far a 'bad Catholic,' and in open rebellion against the authority of his Church.

But if the Rambler, while retaining his theological position, cannot be allowed the unhappy satisfaction of sacrificing S. Alfonso, he may, and must, sacrifice truthfulness instead. He defends his doctrine of Equivocation and Mental Reservation.—What that doctrine is our readers have seen. The Rambler's account of it is curious. He says that 'it amounts to this: 1. 'We are never allowed to tell a lie. 2. We are not always 'obliged to tell everybody the whole truth. 3. When we have 'a sufficient reason for not telling it, we may use equivocal

---

true, but yet it might be made to appear plausible to persons whose moral natures did not revolt from attributing such an act to Him who is the Truth, that our Lord made use of *pure* Mental Restriction. That he was using *non-pure* Mental Restriction is not even plausible. Yet the old argument is handed on from writer to writer as though Innocent had never spoken.

<sup>1</sup> Strictly speaking, there are no 'private opinions' of S. Alfonso, because they have all been approved by the Roman Church. It may be, therefore, that the Rambler meant nothing by this sentence, and was only equivocating. We can't say; but we will suppose that this is not the case.



'words, which conceal the truth, but do not deny it. 4. But 'if the *equivocalness* is not ordinarily felt and known, so that 'the second meaning exists only in my mind *purè mentalis*, I 'cannot use it.' (p. 324.) It will be seen that this fourth proposition is wholly untrue, in so far as it pretends to be an account of S. Alfonso's teaching, and is an edition prepared for the English taste and market. For proof of this we must refer to pages 6, 12, 13—to the answers put into the mouth of the guilty wife in p. 15—to the permission to swear what is false, provided that you whisper something that nobody understands in p. 19, and other instances found *passim*. The Reviewer has thrown overboard S. Alfonso's principle, which is, that you may be guilty of moral untruthfulness in deceiving your neighbour, provided you do not do so by means of material untruth, and adopts a totally different principle, viz. that you may use equivocal expressions to conceal your meaning, when those expressions are ordinarily known and felt to be equivocal, *i. e.* when they are of no use at all for concealing your meaning, and are not in any practical sense equivocal. Liguori, on the contrary, discards an equivocal phrase as soon as its 'equivocalness' has become 'ordinarily felt and known,' and invents another to take its place. (Hom. Ap. Tr. xi. 18.)

One more specimen from the Rambler, and we will pass to the Dublin Review:—

'One chief safeguard laid down by theologians against the abuse of Equivocation, lies in the fundamental axiom, that we may not equivocate to a person, whose relation to us is such, that he has a right to know the truth. The relation of a parent to a child, of a master to a servant, of a judge to a witness, of a physician to a voluntary patient, even (say) of a bankrupt's creditors to a bankrupt, is quite different from that of persons who are *in a condition of perfect equality*, and who are bound by no peculiar engagement to one another . . . St. Alphonsus all along presupposes that the person *whom we design to mislead*, is one who has no kind of right over us, and who, therefore, ought to be prepared for equivocal replies, and to be content to be thrown on his own wits for discovering the precise truth.'—(p. 331.)

First, we will consider this passage on the hypothesis that it is true. It will be seen what is the consequence of being 'in a 'condition of perfect equality' with our neighbour upon the Liguorian theory. It is that 'we must be prepared for equivocal 'replies,' that we must 'be thrown on our own wits for discovering the precise truth,' of what our brother says to us, and that our brother may 'mislead' us, and 'design to mislead' us. Happy state of Christian confidence, and generous trustfulness, where heart rests on heart, sure that its guilelessness will not be betrayed, safe in the sacred relationship of 'equality' and brotherhood! The spirits of the sons of Ishmael would rejoice

over it ! But it is an improvement upon Ishmaelitism, for the Ishmaelites had their hands directed against every man, except their brethren, but here the very reason for ‘misleading,’ ‘designing to mislead,’ ‘being thrown upon our wits,’ &c. is, that we are ‘in a condition of perfect equality’ bound together by the bond of Christian and human unity, ‘equal’ members of the Church of Christ, and the family of men. Bishop Taylor maintains as an axiom that men as men ‘have a right to truth ;’ ‘for there is in mankind an universal contract implied in all ‘their intercourses, and words being instituted to declare the ‘mind, and for no other end, he that hears me speak hath a ‘right in justice to be done him, that as far as I can, what I ‘speak be true ; for else he by words does not know your mind, ‘and then as good and better not speak at all.’ (Duct. Dub. 3. 2. 5.) But according to the Liguorian doctrine, as interpreted by the Rambler, ‘the right,’ which exists, would be, not that we should be told the truth by the speaker, but that the speaker should be allowed ‘to mislead’ us ; and we have no ‘right to ‘truth’ from him, unless we are ‘bound by some peculiar engagement’ to him.

But, secondly, it is not true that according to Liguori this privilege of ‘misleading,’ and ‘designing to mislead,’ our neighbour, (to use the Rambler’s language,) is confined to those persons only who are ‘in a condition of perfect equality,’ and in no peculiar ‘relation,’ such as parent and child, master and servant, &c. A wife, we imagine, is in a special ‘relation’ to her husband. That our readers may see whether or no she may equivocate, and what equivocations she may use, in addressing her husband, we must ask them to look back to p. 16. A penitent is in such a relation to his confessor ; at p. 19, it will be seen that he may equivocate in the act of confession. The relation of a witness to a judge, is one specially named by the Rambler, as giving ‘a right to know the truth :’ at p. 22, 23, it will be seen that a witness need *not* tell the truth to a judge, and that under some circumstances he is bound to lie. A nun is in such a relation to her Episcopal Visitor, but yet she is ‘excused from telling the truth,’ at the moment when she is subject to Visitation. (Theol. Mor. v. 57. Christian Remembrancer, Oct. 1854, p. 445.)

We may pass on to the Dublin Review.

The Dublin Reviewer considers that we have ‘given both ‘scandal and pain to many readers, who wished to look with ‘kindly feelings upon the Catholic Church,’ and that ‘the whole ‘question between Rome and England is for ever with some put ‘into a nutshell,’ and that our article ‘is of so mischievous a

‘character,’ that it is necessary for him to review it. He does not, however, pour out the abuse which makes the staple of the Rambler’s article. The Dublin Review is grave enough, so grave, that we doubt if there is likely to be any other person except the writer, the editor, and ourselves, who have read it throughout. We, however, have read it, and on reaching the end of it, we found an assertion that ‘our charge had been ‘denied.’ As the whole article seemed intended to be a justification of the theory of Equivocation Amphibology and Mental Reservation, not a denial of its being taught, we were surprised at this assertion, and looked back to see what was denied. Was it denied that the extracts were taken from S. Alfonso? No. Was it denied that they were taken fairly and correctly? No. Was it denied that S. Alfonso, and with him the Church of Rome, taught the doctrine of Amphibology and Mental Reservation, as contained in these extracts? No. Then what was denied? The Reviewer has denied (1) that such teaching is immoral, (2) that we have rightly understood and explained the nature of Equivocation. We will consider both these points, and the second of them first.

Supposing that it were true that we had misunderstood and misexplained Equivocation, would that justify Liguori? We have given his own words, and every person may judge for himself whether they teach truthfulness. But it is not true, and the ponderous words heaped up by the Reviewer in proof of it, crumble to pieces as soon as an attempt is made to analyze them. ‘By equivocation,’ says the Reviewer, ‘is meant a ‘word or proposition representing more than one meaning . . . . ‘Mental restriction is a sentence, the wording of which, regarded ‘in itself, represents a false meaning.’ (p. 345.) The Reviewer might just as well say that thinking is a book. Equivocation, Mental Restriction, and Thinking find their expression in a proposition or propositions, sentences, and books; but they are not themselves that by which they are expressed.

The Reviewer’s theory of what Equivocation is, when translated into ordinary English, comes to this. There are, as Raynaudus says, two precepts, one which forbids to lie, the other which commands to tell the truth. The first is of universal application, therefore lying is universally forbidden; the second is not of universal application, therefore—what? The only conclusion that follows is, that we may refuse to answer under some circumstances, when applied to for information on a point with which we are acquainted. Instead of this conclusion the Reviewer draws the inference, that Equivocation is justifiable—why? Because, says he, it does not offend against the negative precept, but only against the affirmative precept, which is not

of universal application : and the method by which he makes out that it does not offend against the negative precept, is the following. He makes the precept forbidding falsehood to be the correlative of 'man's first right with reference to moral truth, *The right to true language.*' Now Equivocation does not offend against *true language*, for true words, in one sense, viz. *materially* true words, are always used by it. Therefore, argues the Reviewer, it does not offend against the precept forbidding falsehood. It is evident that his fallacy lies in the manner in which he has expressed 'man's first right with reference to moral truth.' It is not 'the right to *true language*,' but (as expressed by Bp. Taylor in the passage quoted above) '*to truth*,' and against this Equivocation does offend, although against the former it does not, because its essence consists in being a moral untruth conveyed by means of *materially true language*.

'We are told,' says the Reviewer, quoting our words, 'that "wherever there is an attempt to deceive, whether by a "material truth, or by a material falsehood, there is moral falsehood." We were not likely to forget this fact, since it is conceded to the full by our theologians, although some of them maintain with S. Thomas, that the special malice of a lie, *as such*, is to be sought from the intention of saying that which is 'false.' (p. 354.) Whether or no, this is 'conceded to the full' by S. Alfonso, our readers may see by referring to p. 12, and to Hom. Ap. Tr. xi. 18. It is ridiculously untrue, and indeed, could not be otherwise than untrue in the mouth of any maintainer of Equivocation, from the very nature of Equivocation itself. Let a man analyze Equivocation, and he will see immediately that this is the case : or let him examine Liguori's instances in p. 4, and p. 15, and he will come to the same conclusion. The distinction between deceiving your neighbour, and allowing your neighbour to be deceived, by your words, is, as explained by Roman Theologians, a pure subtlety, resting on the convenient doctrine of the direction of the intention.

2. The Reviewer denies that S. Alfonso's teaching is immoral. He must do so : he cannot help himself, for unlike the Rambler, he has acknowledged that it is the teaching of his Church. 'It is not true that the Church has adopted the theory of S. Alphonsus, but that S. Alphonsus has never departed from the 'theory of the Church.' (p. 328.) But whether such denial will serve to whitewash Liguori, or to sink the Review and the party that it represents, in estimation, we must leave to our readers to judge. The Reviewer must deny that the famous *No, I say* artifice is immoral, (*Supr.* p. 4,) that the ἡ γλῶσσ' ὁμώμοχ' principle is immoral (p. 20,) that the whispering device is im-

moral (p. 19,) that false-witness in a court of justice is immoral (p. 22,) that the falsehoods put into the mouth of the adulterous wife are immoral (p. 15,) that the doctrine of seduction as laid down, p. 17, is immoral. Nay, he enters on the examination of this latter point at length, and gives it his unqualified approval, though he acknowledges that his English readers may consider 'these distinctions,' as 'nothing but miserable subterfuges, loop-holes of escape for the aristocratical [or rich] libertine, tortured 'out for him by the obsequious casuist of Rome.' (D. R. p. 394.)

That the Reviewer considers Equivocation justifiable is apparent, not only from his teaching, but his practice. We have one example in the very page to which we have just referred. Liguori having proved that neither a nobleman nor a rich man, who has seduced a maiden on promise of marriage, is bound to fulfil his promise by marrying his victim, proves further that he is not bound even to make her any compensation, because, says the Reviewer, 'she ought to look upon the injury which she 'has received, as a just punishment for her own carelessness and *'levity of conduct.'* By this last expression every English reader would of course understand, that in punishment for her sin, arising from her lightness of character, she could claim no redress. Liguori meant nothing of the kind. The levity, or carelessness, of which he is speaking, is not *levity of moral conduct*, but the carelessness by which the victim failed to discover that her seducer did not mean what he promised, when he said that he would marry her.

Again in the next page, 'What the writer in the Christian Remembrancer affirms as to the right allowed in [R.] Catholic countries to the nobility to seduce maidens, under the promise of marriage, and then refuse to keep the promise, comes to this. '1. That the nobility have no more right than other men to 'seduce maidens, and are equally bound to keep their promise, *'whenever they can do so without sin.'*

Here, by a Mental Reservation (we suppose), the Reviewer has failed to mention that, according to Rome's teaching, they *never can do so without sin*, and, therefore, *never* have to keep their promise.

'2. A woman cannot claim redress from any man on the 'ground of having been deceived, if *she can justly be considered 'as having lent herself to the deception, or allowed herself to be 'easily duped.'*

Here the Reviewer has in like manner failed to mention, that, according to Rome's teaching, *every such woman may be justly considered, &c.* and, therefore, that *no* such woman can claim redress.

‘3. Some theologians maintain that the woman cannot claim ‘a high marriage, if at the time of making the contract, she ‘only contemplated a low one.’

Here the Reviewer has in like manner failed to mention that the opinion of these theologians, is more than sufficient to justify *every high-born or rich libertine*, in refusing to fulfil his contract. ‘Some theologians,’ are Cardinal De Lugo, Viva, the Salamanca Doctors, Cornejo, Sanchez, Antony of Cordova, Moneta, Peter Ledesma, Veracruz, and Saint Alfonso de’ Liguori, while the only two that are mentioned on the other side, are Lessius and Busembaum.

Again: there is apparently an Equivocation contained in the words, ‘under *the seal* of secrecy’ (p. 383,) and in the explanation of ‘legitimately questioned,’ ‘*i. e.* under the conditions ‘prescribed by law’ (p. 351,)—meaning, not the law of the land, but the law laid down by the Moral Theologians. These, however, are but trifling and natural consequences of the principle which is being maintained.

When the Reviewer condescends to apologize in place of justifying, his defence is the following: ‘The society for which ‘St. Alphonsus wrote is Italian, and his theology is, consequently, to a great extent, shaped to suit the moral exigencies ‘of that people, and presupposes all their customs and conventionalities. It is scarcely possible to imagine two characters more widely different, than the Italian and English, ‘nor any two less capable of judging one another.’ (p. 333.) We have seen several attempts of this kind lately made, to represent uprightness and truthfulness as *a curious national peculiarity*, like red hair, or an aquiline nose, instead of a Christian virtue. The Reviewer puts an objection into the mouth of his ‘Protestant countryman.’ ‘I am willing to grant that the Italian ‘may be *naturally less truthful* than the Englishman, but how ‘does this fact excuse your Church? You have said, truly ‘enough, that the moral progress of a nation is in proportion to ‘the standard of excellence instilled into the mind by education: ‘now, from whence does the Italian get his education except from the Church? Is it not, then, in her power to ‘make truthfulness so much the standard of excellence, as to ‘counteract the *natural tendencies* of the people? Why, then, ‘is so little prominence given to this virtue in the works of your ‘theologians?’ Such is the objection which the Reviewer is able to conceive brought forward by his ‘Protestant countryman.’ Now for the answer to it. ‘This mode of reply shows an ignorance of the *grand fact*, that [*R.*] *Catholic morality is supernatural ‘and not natural*, and that the teaching of the [*Roman*] Church ‘has a distinct end and object-matter, and, consequently, is based

‘upon distinct principles as compared with the teaching of nature.’ (p. 333.) This is, we acknowledge, ‘*a grand fact*.’ We admit that the morality of the Church of Rome is ‘*not natural*,’ and is based upon distinct principles from that morality which befits human nature. What supernatural beings it may be suited for, we cannot say, though possibly the expression ‘Father of lies’ might lead us to conjecture. At any rate, it confessedly has a distinct end, object-matter, and principles, from the teaching of nature; from such morality, that is, as we find in Bishop Butler, and every great and true Moralist. This is, we allow, *a grand fact*. Possibly it is sufficient to account for that *natural want of truthfulness*, which the Reviewer acknowledges to exist in Italy, and which is found in every country where Rome has full sway.

One word in conclusion. The Redemptorist Fathers have promised England and Ireland the blessing of an English Edition of S. Alfonso’s Works. But there is one portion of his writings which they refuse to translate, viz. his Moral Theology. Why is this? It may be replied that it is only meant for Priests. Very good: but why should that which is meant for Priests, be veiled from the profane eyes of laymen? If it is good for the first, why should it be harmful to the last? There is one portion of it, indeed, which we should shrink from seeing in a vulgar tongue. Let the parts referring to Purity be kept—if kept they must be—enwrapped in double folds and concealed in a language ordinarily unread. But why should the rest of the six octavo volumes be kept likewise hidden from the common gaze? If the morality inculcated in them is high and pure, they will raise the standard of morals in those that read them. If they are not translated with his other works, Englishmen will judge that the Editors did not dare to unveil the deformities contained in them, lest they and their system alike should be overwhelmed with an outburst of indignation, on the part of those who wish to see morality taught, which is suitable to the ‘nature’ which God has given to man, and *not* a system ‘based upon distinct principles,’ with ‘a distinct end and object-matter.’ They will judge that the reason why these volumes are alone withheld from view, is the same as that which Cicero tells us prevented the mysterious books of the Roman Law from being divulged: *quæ, dum erant occulta, necessario ab iis qui ea tenebant petebantur; postea vero, pervulgata atque in manibus jactata et excussa, inanissima prudentiæ reperta sunt, fraudis autem et stultitiæ plenissima.*











